

PARLIAMENT OF VICTORIA

**PARLIAMENTARY DEBATES
(HANSARD)**

LEGISLATIVE ASSEMBLY

FIFTY-SIXTH PARLIAMENT

FIRST SESSION

Tuesday, 8 December 2009

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By authority of the Victorian Government Printer

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Standing Orders Committee — The Speaker, Ms Barker, Mr Kotsiras, Mr Langdon, Mr McIntosh, Mr Nardella and Mrs Powell.

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FIFTY-SIXTH PARLIAMENT — FIRST SESSION

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Lim, Mr Muy Hong	Clayton	ALP			

¹ Resigned 6 August 2007

² Elected 15 September 2007

³ Resigned 2 June 2008

⁴ Elected 28 June 2008

⁵ Elected 15 September 2007

⁶ Resigned 6 August 2007

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Tuesday, 8 December 2009

The SPEAKER (Hon. Jenny Lindell) took the chair at 2.06 p.m. and read the prayer.

ABSENCE OF MINISTER

The SPEAKER — Order! Before calling questions I advise the house that the Minister for Mental Health and Minister for Community Services is away today. The Minister for Health will be responsible for questions for the mental health and senior Victorians portfolios, and the Minister for Local Government will be responsible for questions for the community services portfolio.

QUESTIONS WITHOUT NOTICE

Police: forensic services

Mr RYAN (Leader of The Nationals) — My question is for the Minister for Police and Emergency Services. I refer to the continuing DNA debacle in Victoria, and I ask: can the minister guarantee that the testing process and the test results of all DNA samples being used in the prosecution of criminal trials in Victoria are accurate and reliable?

Mr CAMERON (Minister for Police and Emergency Services) — I thank the honourable member for his question. The house will be aware that yesterday the Court of Appeal quashed a conviction. It was evident that there had been contamination in relation to DNA. You will also be aware that the Victorian Institute of Forensic Medicine has appointed the former Supreme Court Justice Vincent to have an inquiry into how that came about. Clearly that may also involve any recommendations as to processes as we go forward. The issue of DNA is extremely important. DNA is an extremely important investigative tool, and it is also very important in terms of evidence. As a consequence, in relation to tests — particularly those relating to low-profile DNA — the Director of Public Prosecutions wants to make sure that testing is reliable. Scientists recently put in place newer and higher standards, and there has been an examination of those so that people who are accused can have the benefit of the newer and higher standards.

Economy: performance

Ms GRALEY (Narre Warren South) — My question is for the Premier. I refer to the government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the Premier

outline to the house how the Victorian economy is performing and how this assists working Victorian families?

Mr BRUMBY (Premier) — I thank the member for Narre Warren South for her question. My attention was drawn to today's *Herald Sun*, which contains a report of a new study by Access Economics on the recovery of consumer spending across Australia with the headline 'State leads in spending'.

Honourable members interjecting.

Mr BRUMBY — Obviously the opposition has not read the article, which would not surprise me, because it contains more good news about the Victorian economy. I was attracted to this story, which says:

... Access said Victorians were at the forefront of the recovery with expectations that the state would lead NSW out of the economic crisis.

Honourable members interjecting.

The SPEAKER — Order! I ask the member for Malvern not to interject in that manner. The Premier, to continue, without the assistance of the Minister for Health or the member for Narre Warren North.

Mr BRUMBY — The article goes on to say:

State output has also been performing solidly aided by strong population growth which has been above the national average for three years ...

The report by Access Economics that is referred to shows that the Victorian economy continues to perform very strongly, and the Victorian economy is first out of the blocks as the global economy recovers. That is certainly backed up by some of the more recent economic data. Yesterday the ANZ job ads survey for November showed 14 per cent growth in Victoria in the month compared with a lift of 8 per cent nationally. Already we have created more new jobs in Victoria than any other state in Australia in calendar year 2009.

Honourable members interjecting.

The SPEAKER — Order! I ask the Premier to stop for one moment. I request once again that the member for Malvern not interject in that manner, and also the member for Warrandyte.

Mr BRUMBY — Our lifestyle and world-class services continue to attract people to Victoria, with our state adding something like 114 000 new people to its population in 2008–09. As I have said to the house before, we continue to lead Australia on building approvals, with \$20 billion of new building approved in

the year to October, and we have also had the highest number of dwellings approved of any state in Australia in the past 18 months. I think all of that confirms what Access Economics is confirming: that in Victoria we are not waiting; we are getting on with the job, and we are building.

On Friday cabinet met in Ballarat. We were there to open the brand-new IBM IT Services Centre, which has created 300 new jobs. That technology park has added more than 1000 jobs over the past decade through initiatives that we put in place to attract new industry and development to that park. While in Ballarat, with the Minister for Public Transport we also welcomed the 100th new V/Locity carriage to roll off the production line, which brings the total number of new seats over the last four years to 7200. What a wonderful story that has been: a \$1 billion investment that we made in regional rail — despite the opposition — in 100 new V/Locity carriages and of course the patronage of those services. People are voting with their feet and getting on board these new services and new carriages brought to them by a Labor government. That is something the Liberal Party could not and would not ever have delivered.

At Sovereign Hill I also announced funding of a further \$3 million to complete the gold museum and open the new exhibition there called 'Trapped'. If my memory is correct, that means something like \$7 million in commitments we have made under the Regional Infrastructure Development Fund to assist Sovereign Hill in Ballarat.

Also last the week the government called for tenders for the \$650 million South Morang rail extension. That project will generate 460 new construction jobs. We also announced the successful tenderer for the extension through to Sunbury, a \$270 million project which will deliver 174 new construction jobs.

Last Saturday, in the company of the Lord Mayor of Melbourne and Megan Gale, I was delighted to open the new David Jones menswear store.

Honourable members interjecting.

The SPEAKER — Order! I ask members to come to order.

Mr BRUMBY — I do not know why the opposition is getting so excited about Robert Doyle.

Some 2000 new jobs were created during its construction and 458 new retail jobs. All of this confirms a strong economic performance for our state.

While higher interest rates and a higher dollar put pressure on our economy and the Australian economy, all this shows that the foundations we built in Victoria are the right foundations and the right fundamentals. When you put that together with what we have done in the tax area — cutting land tax from 5 per cent to 2.25 per cent; cutting payroll tax from 5.75 per cent to 4.95 per cent; abolishing eight state taxes, being the only state to comply with the GST agreement; and making five successive cuts to WorkCover premiums — you see that we are not waiting, we are building.

Finally I would like to very quickly say that in the tourism, leisure and hospitality area we also have a great story to tell. The first Qatar Airways flight from Doha touched down in Melbourne on Sunday night, and the company is now launching thrice weekly services between Melbourne and Doha and then on to various parts of the world, set to go daily from January. If you put that with the success of the Dali and Pompeii exhibitions and the fact that last year Australian tourists spent more money in Melbourne than in any other city, it is a good story for our state. It proves that our state is leading Australia's economic recovery.

Police: forensic services

Mr RYAN (Leader of The Nationals) — My question is to the Minister for Police and Emergency Services. I refer to the continuing DNA debacle and the case of Russell John Gesah against whom murder charges were withdrawn in August 2008 because DNA evidence against him was contaminated, and I ask: given that the case was described by Chief Commissioner of Police Simon Overland as embarrassing and the result of human error, what steps did the minister take at that time to ensure that such basic mistakes in the testing of DNA samples did not occur again?

Honourable members interjecting.

The SPEAKER — Order! I will call the minister when the house comes to order.

Mr CAMERON (Minister for Police and Emergency Services) — This was a case last year when chief commissioner Simon Overland was the deputy commissioner of police. The honourable member might remember that Deputy Chief Commissioner Overland reported that a contamination had occurred in the lab at Macleod and as a result of that there were a whole range of reviews around DNA samples. Deputy Chief Commissioner Overland, as he then was, confirmed that as a consequence of all the reviews the police were

satisfied about the remaining cases that they had in relation to DNA tests.

Northern Victoria Irrigation Renewal Project: benefits

Ms LOBATO (Gembrook) — My question is for the Minister for Water. I refer to the government's commitment to make Victoria the best place to live, work and raise a family, and I ask: will the minister explain to the house why the government has decided to upgrade irrigation systems in northern Victoria rather than construct new dams? And is the minister aware of any commentary on this decision?

Mr HOLDING (Minister for Water) — I thank the member for Gembrook for her question. This is a very good question. All members on this side of the chamber are eager to hear the response, because as all honourable members know this government has embarked on one of the greatest regional development projects in Australian history — that is, its plan to upgrade the Goulburn-Murray irrigation district (GMID) and to improve the irrigation efficiency of the systems that operate in the GMID.

It is a \$2 billion project that we believe can generate 425 billion litres of water savings in an average year. You would have thought that with a project that is as bold and as visionary as this, with a project that is as expensive as this and with a project that can deliver such extensive water savings for the people in northern Victoria and indeed all Victorians, that everyone would have been right behind it.

This project has a very simple philosophy: it reflects on the fact that at the moment the water losses in the Goulburn-Murray irrigation district are extremely high. In fact every year, in wet years and in dry years — —

Honourable members interjecting.

The SPEAKER — Order! The member for Benalla will not interject in that manner.

Mr HOLDING — In every year — in wet years and in dry years — the water losses in the Goulburn-Murray irrigation district amount to hundreds of billions of litres. Those water losses can be reduced. They can be reduced if we make substantial investments in improving the efficiency of the GMID. We can reduce those losses by making substantial investments in the operational efficiency of that system.

There are alternatives. There are those who say we should be constructing dams. The Victorian government considered constructing new dams in

Victoria when it reflected on Victoria's water policies. We rejected new dams in northern Victoria for two reasons: one is that we took the view that it was better to invest in upgrading the efficiency of the system and reducing water losses rather than simply building more storage space and allowing that water to run down a system which is grossly inefficient. The second reason why we objected to constructing new dams is that in northern Victoria, in the Murray-Darling Basin system, there is a cap on extractions that is set at the 1994 level. You cannot extract more water from the system than those 1994 levels without taking the water from an existing user, so if you wanted to construct a new dam in northern Victoria you would need to identify which users — which farmers and which irrigators — would be deprived of their entitlement in order to construct that new dam. That is how the Murray-Darling Basin cap works.

Honourable members interjecting.

The SPEAKER — Order! I ask government members to come to order. In assisting them to come to order, the member for Rodney should cease interjecting in the manner that he is.

Mr Delahunty interjected.

The SPEAKER — Order! The member for Lowan!

Mr HOLDING — That is why the Victorian government rejected building dams as the proposal and why it instead endorsed the food bowl modernisation project to update outdated irrigation systems in northern Victoria. So it was with some surprise that my attention was drawn to an article in the *Country News* of 30 November 2009 in which a commentator on these matters is reported as saying:

The Victorian government should have built dams rather than adopt the food bowl modernisation project ...

This commentator went on to say:

... the Labor government would have done better by building a new dam or extending the William Hovell dam to generate more water for sharing — —

Honourable members interjecting.

Mr HOLDING — Members should listen to this. It would have been better to build — —

Honourable members interjecting.

Mr HOLDING — I am happy to answer their question.

Honourable members interjecting.

Mr HOLDING — No. It gets better — trust me. My attention was particularly excited by this article, because we have heard so much — —

Dr Napthine — On a point of order, Speaker, the minister is now debating the issue. I ask you to bring him back to answering the question.

The SPEAKER — Order! I do not uphold the point of order.

Mr HOLDING — We have heard so much across Victoria about the notion of water travelling from north of the Great Dividing Range to south of the Divide. This commentator went on to say that the construction of a new dam or extending the William Hovell dam could generate more water for sharing equally between irrigators and Melbourne. Who said this? None other than Tim McCurdy, the new candidate of The Nationals for Murray Valley. Last time I checked — —

The SPEAKER — Order! The minister is debating the question. I ask him to come back to the question as asked.

Mr HOLDING — When the Victorian government took the decision to reject expanding Lake William Hovell, the last time I checked Lake William Hovell was north of the Divide. It might have moved! We have got our department looking into it right now to check whether or not Lake William Hovell has actually moved!

The SPEAKER — Order! I bring the minister back to the question, and I ask him to conclude his answer.

Mr HOLDING — We on this side of the chamber make no excuse — —

An honourable member interjected.

Mr HOLDING — It looks like you need some help. We make no excuse for being absolutely committed to the food bowl modernisation project. We see this \$2 billion investment in generating local jobs and reducing irrigation losses in northern Victoria as being absolutely critical to providing water security for all Victorians, and we reject — —

Dr Napthine — On a point of order, Speaker, the minister has been responding for some considerable time. Even with some interjections he has gone well beyond a reasonable period of time, and he is adding nothing to the answer he has provided.

The SPEAKER — Order! There is no point of order, and the minister was clearly concluding his answer.

Mr HOLDING — We on this side of the chamber are very pleased to support the food bowl modernisation project. We reject dams in northern Victoria as an alternative to the food bowl modernisation, and we reject the proposition that the expansion of Lake William Hovell can be used as a project to share water with irrigators and with Melbourne.

Desalination plant: memorandum of understanding

Mr BAILLIEU (Leader of the Opposition) — My question is to the Minister for Police and Emergency Services. I refer to the continuing police files scandal in this state and to the memorandum of understanding between Victoria Police and the desalination contractor AquaSure dated 28 August 2009, which states that Victoria Police:

will release law enforcement data to the ... project company under this MOU.

I ask: did the minister approve this arrangement, and if so, when?

Mr CAMERON (Minister for Police and Emergency Services) — I think we need to get one thing very clear at the very outset — that is, that the privacy laws and the Police Regulation Act apply and they are not overridden by any memorandum of understanding. I think we need to be very clear about that because that is not what those opposite have tried to depict. What those opposite do not — —

Mr McIntosh interjected.

The SPEAKER — Order! The member for Kew will not interject in that manner. If he continues, he will not stay for the remainder of question time.

Mr CAMERON — As I was saying, the Information Privacy Act and the Police Regulation Act are not overridden by a memorandum of understanding. The law has to apply, and I think we need to be very clear about that. What those opposite also do not understand is that Victoria Police makes its own decisions around these types of things, and Victoria Police has a duty to ensure community safety.

Mr Baillieu — On a point of order, Speaker, the minister is debating the question. He was asked an

explicit question: did he approve the deal, and if so, when? I invite you to ask him to answer the question.

The SPEAKER — Order! I will not remind the Leader of the Opposition of standing orders. The minister is being relevant to the question as asked, and I will continue to hear him.

Mr CAMERON — Let us be very clear about the role of a memorandum of understanding.

Honourable members interjecting.

The SPEAKER — Order! One moment, Minister. I now warn both the member for Malvern and the member for Warrandyte.

Mr CAMERON — Memorandums of understanding have to — —

Mrs Shardey interjected.

The SPEAKER — Order! I add to that warning the member for Caulfield.

Mr CAMERON — Take five. Memorandums of understanding have to operate within the law — within the privacy laws and within the Police Regulation Act. Let us be very clear: police have a duty to ensure community safety and to protect worker safety when it comes to critical infrastructure, and police make those decisions themselves. What we do as a government is work with the chief commissioner. We provide the chief commissioner with a record budget, we provide the chief commissioner with record resources, and police make these decisions totally without reference to the government, as it should be. Because what we have and what we believe in is an independent police force. That is something we are extremely proud of, and we totally reject the policies of those opposite to cut police and to tell police what to do and how to go about their business.

Northern Victoria Irrigation Renewal Project: benefits

Ms BARKER (Oakleigh) — My question is to the Minister for Agriculture. I refer to the government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister outline the benefits of an upgraded irrigation water distribution system to northern Victorian irrigators and whether alternative methods of delivering water to these irrigators are under consideration?

Mr HELPER (Minister for Agriculture) — I thank the member for Oakleigh for her question. The food

bowl modernisation project is not only about saving scarce water in northern Victoria, as outlined by the Minister for Water; it is also about providing irrigation farmers with much better services and a much better delivery of water for irrigation efficiency. It is about delivering water on time; it is about delivering water at much greater flow rates so that irrigation practices can be updated and taken into the modern era.

Currently we have a delivery system which runs along earthen channels, and a lot of the water is of course lost. There are some parallels with the irrigation systems advocated and built by the Romans. What did the Romans ever do for us but develop aqueducts? It is also an irrigation system that was championed by the Babylonians. Those groups were possibly in a position to ignore the huge losses that occurred.

But farmers in this era require more modern irrigation practices. They want irrigation water, firstly, delivered on time when it is required, and secondly, delivered at much higher flow rates. The modern delivery system that is required is supported by irrigation farmers right throughout northern Victoria.

The member for Oakleigh asked me whether there are any alternative methods of delivering water to farmers. I have to acknowledge that there are alternative methods being advocated. These ideas are based much more on archaeology than they are on hydrology, or certainly modern hydrology. What is advocated is the building of a dam at the top of a catchment and having water run down earthen channels — maybe modernisation involves levelling the top of the channel banks out so that the water bailiff can ride along them on a chariot.

The proponent of this Bronze Age technology is none other than Cobram real estate agent Tim McCurdy. Mr McCurdy wants to deny Victorian farmers the irrigation efficiency — —

Honourable members interjecting.

The SPEAKER — Order! I will ask — —

Mr Hodgett interjected.

The SPEAKER — Order! I warn the member for Kilsyth. I remind the minister that the question as asked sought information about alternatives under consideration. I ask the minister not to debate the question.

Mr HELPER — Certainly, Speaker. I presume that Mr McCurdy considered his comments before they appeared in the local press, in the *Country News*.

The SPEAKER — Order! I ask the minister not to debate the question.

Mr HELPER — Certainly, Speaker. Here we have the proponent of a particular approach to irrigation systems who argues that irrigation farmers should be denied an appropriate and modern irrigation system commensurate with the scarcity of water we experience under climate change and under increasing demands for water et cetera. I do not think Victorian farmers and northern Victorian irrigation farmers will stand for Mr McCurdy's proposition.

Desalination plant: memorandum of understanding

Mr BAILLIEU (Leader of the Opposition) — My question is to the Minister for Police and Emergency Services. I refer again to the continuing police files scandal in this state and to the memorandum of understanding between Victoria Police and AquaSure, and I ask: given that the Minister for Water claimed on Melbourne radio yesterday that this agreement is common and that the deputy commissioner of Victoria Police subsequently said he was unaware of any other such agreements, will the minister now detail just how many of these agreements with private companies have been implemented under this Labor government?

Mr CAMERON (Minister for Police and Emergency Services) — As you are aware, Speaker, there is a memorandum of understanding in relation to critical infrastructure. I have to say that when you look at this opposition, you need first of all to look at the record — —

Honourable members interjecting.

The SPEAKER — Order! The minister will not debate the question.

Mr CAMERON — I will go back to what I said earlier — that police have a duty to protect the community and to protect workers. Take the power industry, for example: there will be some people who will say, 'Labor needs to take urgent action to upgrade power supply security', and they will even go on to say that radical environmentalists have invaded Victoria's power plants three times — the honourable member for Box Hill said that. We have the honourable member for Box Hill out there saying that these sorts of steps need to be taken, yet when the police make these decisions independently at the local and regional level, we have the opposition turn around in a total and complete act of hypocrisy and whinge, whine and complain about police. I tell you this, Speaker: we support police and

we support the Chief Commissioner of Police, and we support them in their duty of protecting the community.

Mr Baillieu — On a point of order, Speaker, the minister is debating the question. He was asked to detail the other agreements to which the Minister for Water referred, and I invite you again to ask him to answer the question. He has now been on his feet a number of times and has not delivered a single answer.

The SPEAKER — Order! The Minister for Police and Emergency Services has concluded his answer.

Northern Victoria Irrigation Renewal Project: benefits

Mr HARDMAN (Seymour) — My question is for the Minister for Regional and Rural Development. I refer to the government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister advise the house of the economic benefits that are flowing from the Northern Victoria Irrigation Renewal Project?

Ms ALLAN (Minister for Regional and Rural Development) — I thank the member for Seymour for his question. We have already heard in the house this afternoon from the Minister for Water and the Minister for Agriculture just how fantastic a project the Northern Victoria Irrigation Renewal Project really is and how it is a demonstration of this government taking action to improve water security in this state.

This is a massive, \$2 billion project that is not just about delivering billions of litres of water savings to the Goulburn-Murray region, although it certainly does that. This project will not just deliver gigitalitres of additional water to irrigators in Australia's food bowl region, and it will do more than just improve the environmental flows for our rivers in northern Victoria. The food bowl modernisation project is about putting in place the foundation on which the region's future growth and prosperity can be built. We are already seeing how this investment is providing a tremendous jobs boost to the region. At its peak the recent 2009 winter works program employed around 1000 people. There are currently over 500 people with an ongoing role in delivering the irrigation upgrade.

There is great recognition across the region of the broader benefits that can be brought into a region when you invest this sort of funding, and that is being recognised locally. If I can quote from a recent interview on ABC Statewide Drive, in which the chairman of Foodbowl Unlimited, John Corboy, was talking about the investment in the region. He said:

There are businesses that can benefit off the spin-off of the \$2 billion investment ...

...

... You can't spend \$2 billion without bringing more jobs in.

That is absolutely right. John Corboy and many others across the region understand the vital importance of this project not just for saving water and not just for providing irrigators with greater water security but also for providing more jobs through additional investment into the future.

A great local example is Rubicon Systems. Many members would be familiar with Rubicon. It is a local manufacturing company based out of Shepparton, which manufactures the flume gates that are being used throughout the irrigation upgrade. This company now employs 100 people, and an additional 25 workers have been engaged to work on the irrigation project alone. In addition to the jobs that are being created by this project, there are also those jobs that will come from greater investment in the region.

I have spoken previously in the house about the launch in October of the food bowl e-prospectus guide that is being released. This is about driving more investors and more jobs into the region. The Brumby government has provided \$1 million to help with the development of the e-prospectus. I was very pleased that Bega Cheese hosted the event in Strathmerton. Members may also recall that Bega Cheese committed to Strathmerton back in December 2008. It is a great commitment the company has made to the region; it has come in and secured 190 jobs at its factory in Strathmerton with the aim of creating a further 150 jobs in the region. That is being backed by the local member, and it is being backed by the Brumby government.

In reference to local identities who have supported this project, the mayor of the Moira Shire Council, Cr David McKenzie, wrote to me following the announcement of the investment by Bega Cheese in Strathmerton. He said:

This is a wonderful outcome for the people of Moira and indicative of the Brumby government's significant investment in water infrastructure in northern Victoria.

Council commends the Victorian government for its ongoing commitment to regional and rural communities.

I am really pleased that the mayor of the Moira Shire Council wrote that letter to the government. He wrote it on behalf of the people of Moira and of the Moira Shire Council. I am sure he had unanimous support from his councillors, including his deputy mayor, Cr Tim

McCurdy, for the Brumby government's investment in northern Victoria.

Mr Ryan — On a point of order, Speaker, the minister is debating the question, of which fact she is well aware. This is a time for discussion relating to government business. It is not an opportunity for attacking the opposition, let alone attacking a candidate for The Nationals at the next election.

The SPEAKER — Order! There is no point of order. The minister has concluded her answer.

North-south pipeline: memorandum of understanding

Mr RYAN (Leader of The Nationals) — My question is to the Minister for Police and Emergency Services. I refer to the comments of the Minister for Water yesterday on the continuing police files scandal on Melbourne radio 3AW about 'some sort of memorandum' with Victoria Police and the north-south pipeline contractors, and I ask: will the minister confirm that a memorandum of understanding does exist between Victoria Police and the north-south pipeline contractors, and if so, will he now release that memorandum and explain to the people of Victoria why it has not previously been made public?

Mr CAMERON (Minister for Police and Emergency Services) — As I have said to the house previously, these things are about public safety and the duty of police to work with the public around the issues of public and worker safety.

Mr Ryan — On a point of order, Speaker; the minister is debating the question.

Honourable members interjecting.

The SPEAKER — Order! Government members will come to order.

Mr Ryan — The Minister for Police and Emergency Services has been asked a specific question as to the existence or otherwise of this memorandum to which the Minister for Water made reference. I am simply asking: does that document exist or does it not?

The SPEAKER — Order! I think the timing of the member's point of order was within the first 20 seconds of the minister beginning to answer. I do not believe at that stage I could uphold the point of order of the Leader of The Nationals.

Mr CAMERON — Police and other relevant agencies will provide important advice to essential

services operators in relation to risk management, and their role is fundamental to the cooperative basis which is necessary to ensure that adequate risk management initiatives are in place. The former Premier, Steve Bracks, said that, and it was quoted with great endorsement on 3 September 2007 by the member for Box Hill.

Mr Ryan — On a point of order, Speaker, the minister is clearly debating the question. I do not think anybody has the remotest idea what he is talking about. He has been asked a specific question, and I ask you to have him answer that question.

The SPEAKER — Order! I am not prepared to uphold the point of order.

Mr CAMERON — What we have over here on the opposition side is more division than ever, with the shadow Attorney-General totally endorsing the actions of — —

Honourable members interjecting.

The SPEAKER — Order! The minister will not attack the opposition in that manner. I ask the minister to address the question as asked.

Honourable members interjecting.

An honourable member — Does it exist?

Mr CAMERON — That is on climate change on your side.

We believe in the independence of police, and it is entirely appropriate that police make decisions about what they want to do in the event that they have a request. But I have to tell you this, Speaker: we support the Chief Commissioner of Police; we support the independence of the Victoria Police. That is why we have provided them with record resources and record numbers of police. And we will not tell them how to do their business.

Mr Ryan — On a point of order, Speaker, the minister is debating the question. For the fourth time I simply ask: does the memorandum of understanding exist?

The SPEAKER — Order! The minister has concluded his answer.

Honourable members interjecting.

Questions interrupted.

SUSPENSION OF MEMBERS

Members for Lara and Polwarth

The SPEAKER — Order! Under standing order 124 the members for Lara and Polwarth will leave the chamber for half an hour.

Honourable members for Lara and Polwarth withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Questions resumed.

Water: government policy

Mr LIM (Clayton) — My question is for the Minister for Water. I refer to the government's commitment to make Victoria the best place to live, work and raise a family, and I ask: can the minister confirm to the house the government's policy in relation to the construction of new dams and clear up any confusion that may exist as to the status of any proposals to build new dams?

Mr HOLDING (Minister for Water) — I thank the member for Clayton for his question. In addressing the member's question I will start with an update. I have just received advice from my department, and it has confirmed that Lake William Hovell has not moved — it is still north of the Great Dividing Range!

To go to the question asked by the member for Clayton, he asked me to clarify the government's policy in relation to the construction of new dams. This government does not support the construction of new dams or major new storages in Victoria. It is really important that the house understand that and that it understand the reasons for this policy — it is a very sound policy.

This government believes Victoria's existing system of dams and storages has served us well, but it also believes in an environment of protracted drought and climate change it is more important than ever before that we diversify our water resources and use the water we have more efficiently than we have used it in the past. It is for that reason that we are modernising Victoria's irrigation system in northern Victoria and that we are constructing a network of pipelines across the state to enable us to transfer water to where it is needed most and to enable us to sustain growing communities in regional Victoria in the face of protracted drought. It is for these reasons that we are building Victoria's largest desalination plant to convert

seawater into drinking water and to provide us with a non-rainfall-dependent source of water.

This is a very important policy. It is this policy framework that enables us to move away from our traditional reliance on dams and storages to provide for water security for Victorians. Not everyone necessarily shares our view that we ought not be building more dams, but it is a view that the Victorian government takes very seriously.

Honourable members interjecting.

The SPEAKER — Order! I ask for some cooperation from members of the opposition.

Mr HOLDING — It is funny that they should ask, but we will come back to that.

The SPEAKER — Order! I ask the Minister for Water to ignore interjections.

Mr HOLDING — Thank you, Speaker.

Honourable members interjecting.

The SPEAKER — Order! I thank the member for Scoresby for that advice, and I advise him that he is now warned.

Mr HOLDING — We reject the proposition that we should be building more dams to provide water security for Victoria. We reject that proposition because new dams do not provide us with rainfall-independent sources of water. We reject new dams because, as we have seen in Queensland with its Traveston Crossing dam proposal — —

Honourable members interjecting.

The SPEAKER — Order! I ask for some cooperation from members of the opposition, particularly the member for Bass.

Mr HOLDING — The Queensland government was unable to obtain the commonwealth environmental approvals it needed to proceed with that project.

We are very pleased that it seems a growing body of Victorians is rallying to the Victorian government's position that the construction of new dams should not be the centrepiece of a strategy to secure water for Victorians.

My attention was drawn to an article in the *Sunday Herald Sun* of 29 November where none other than the Leader of the Opposition is reported as saying he would not necessarily go to the polls with a policy to build a

new dam. We welcome this position, because it seems that despite the divisions between The Nationals and the Liberals, we are moving to a position — —

The SPEAKER — Order! The minister will come back to government business.

Mr HOLDING — We are moving to a position where it is understood that the policy of the Victorian government not to support the construction of new dams but to instead provide water security by diversifying our water sources and modernising outdated irrigation systems in northern Victoria is a better system for providing water security for Victorians. We will not go down the path of building new dams, and it is pleasing to see that those opposite are just starting to see the light too.

Mr Baillieu — On a point of order, Speaker, the purpose of question time — —

Honourable members interjecting.

The SPEAKER — Order! I will hear points of order in silence.

Mr Baillieu — The purpose of question time is to provide the people of Victoria with information. The responsibility of ministers in question time is to answer questions. The Minister for Police and Emergency Services has on five occasions today been asked reasonable and straightforward questions. On each occasion he has declined to answer the question.

The SPEAKER — Order! I am prepared to rule on the point of order.

Mr Baillieu — My point of order has not concluded, Speaker.

The SPEAKER — Order! Then I will clarify the initial point of order. The standing orders are quite clear on the responsibility of ministers in response to a question. Their responses need to be relevant, factual and succinct.

Mr Baillieu — Speaker — —

The SPEAKER — Order! It is customary practice when the Speaker is addressing the chamber for members to take their seats. I have clarified the position regarding responses to questions. We have had this conversation on a number of occasions. The standing orders clearly do not give the Speaker the authority to direct a minister how to answer a question.

Mr Baillieu — On a further point of order, Speaker, respecting your ruling and commentary, can I ask you

to examine two questions: what is the point of question time when the ministers do not answer, and what is the point of the Minister for Police and Emergency Services, who knows nothing, does nothing, has no responsibility for anything and will not answer a question?

Honourable members interjecting.

The SPEAKER — Order! I remind the member for Malvern that he has been warned.

Mr Hulls — On the point of order, Speaker, this is nothing more than a lazy political stunt by a lazy opposition leader who is putting it on for the cameras. He knows it, I know it, everyone knows it. I ask you to rule his point of order out of order.

The SPEAKER — Order! I do not uphold the point of order. In fact I do not find that the point of order is actually a point of order under the standing orders of this chamber.

Mr McIntosh — On a point of order, Speaker, the matter that the member for Hawthorn and Leader of the Opposition has raised is a very important one. I would certainly ask you to take up his suggestion. While you quoted the standing orders, they are a matter for this house. Perhaps this matter should be referred to the Standing Orders Committee for urgent review and consideration, because clearly what we have here in the case of the Minister for Police and Emergency Services is the worst minister in this state's history simply because he does not answer questions. This must, as a matter of urgency, be referred to the Standing Orders Committee for immediate review.

The SPEAKER — Order! There is no point of order. I suggest to the member for Kew, as he is well aware, that the Standing Orders Committee is meeting tomorrow. He is a member of that committee, and I look forward to his raising the issue.

Honourable members interjecting.

The SPEAKER — Order! I ask government members to come to order.

Mr Ryan — On a further point of order, Speaker, I ask you to examine the record. The government's responses today were dedicated in the main to attacking the opposition parties and more particularly to attacking a candidate for one of the two parties on this side of the house. In circumstances where question time ought properly be dedicated to government business, today, with respect, Speaker, a substantial part of what the government has had to say has been to do with either us

as the two opposition parties here or a candidate for the party which I have the honour to lead, with an election due in November next year. The government should not be permitted, with respect, to do that.

Honourable members interjecting.

Questions interrupted.

SUSPENSION OF MEMBER

Member for Warrandyte

The SPEAKER — Order! Under standing order 124 I ask the member for Warrandyte to leave the chamber for 30 minutes.

Honourable member for Warrandyte withdrew from chamber.

QUESTIONS WITHOUT NOTICE

Questions resumed.

Mr Cameron — On the point of order, Speaker, I refer you to the ruling made on 24 February 2005 by Speaker Maddigan — a very good Speaker, if I may say so. She said that a minister may canvass decisions of the Victorian government or policies the minister may have looked at and the effects they have had on Victorian government business. That means obviously that a minister is able to look at any particular policy, including those of the nouveau Liberal Party.

The SPEAKER — Order! I will respond to the Leader of The Nationals. It is my custom and practice to review question time, and I am happy to do so and to have a further discussion with him tomorrow, if he so wishes. The time set down for questions has expired.

LEGISLATION REFORM (REPEALS No. 6) BILL

Introduction and first reading

Mr BATCHELOR (Minister for Community Development) — I move:

That I have leave to bring in a bill for an act to repeal certain spent acts.

Mr CLARK (Box Hill) — I ask the minister to provide a brief explanation of the bill, in particular to which spent acts it refers.

Mr BATCHELOR (Minister for Community Development) — This is the Legislation Reform (Repeals No. 6) Bill. It will repeal a series of spent acts. It is the sixth bill in a series, hence — —

Mr Hulls — That is why it is called no. 6.

Mr BATCHELOR — That is why it is called no. 6. It will deal specifically with spent acts in the areas of the Attorney-General's work, environment and climate change, finance, health, industrial relations, local government, planning, the Premier's area and the Treasurer's area.

Motion agreed to.

Read first time.

MAGISTRATES' COURT AMENDMENT (MENTAL HEALTH LIST) BILL

Introduction and first reading

Mr HULLS (Attorney-General) introduced a bill for an act to amend the Magistrates' Court Act 1989 to establish a mental health list in the Magistrates Court for a trial period, to provide for its operation and for other purposes.

Read first time.

CRIMES LEGISLATION AMENDMENT BILL

Introduction and first reading

Mr HULLS (Attorney-General) introduced a bill for an act to amend the Crimes Act 1958 to restructure the maximum penalties for the offence of sexual penetration of a child under the age of 16, to amend the Crimes (Controlled Operations) Act 2004, the Evidence (Miscellaneous Provisions) Act 1958, the Family Violence Protection Act 2008, the Fisheries Act 1995, the Sentencing Act 1991 and the Wildlife Act 1975 and for other purposes.

Read first time.

ACCIDENT COMPENSATION AMENDMENT BILL

Introduction and first reading

Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission) — I move:

That I have leave to bring in a bill for an act to amend the Accident Compensation Act 1985 and the Accident Compensation (WorkCover Insurance) Act 1993, to consequentially amend certain other acts and for other purposes.

Mr CLARK (Box Hill) — I ask the minister to provide a brief explanation of the bill.

Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission) — This is a bill that implements many of the recommendations of the Hanks inquiry into Victoria's workplace accident compensation scheme and makes a range of other consequential amendments.

Motion agreed to.

Read first time.

PUBLIC FINANCE AND ACCOUNTABILITY BILL

Introduction and first reading

Mr HOLDING (Minister for Finance, WorkCover and the Transport Accident Commission) introduced a bill for an act to create a framework for public finance and financial management, to repeal the Public Authorities (Dividends) Act 1983, the Borrowing and Investment Powers Act 1987, the Financial Management Act 1994 and the Monetary Units Act 2004, to amend the Constitution Act 1975 and the Administrative Arrangements Act 1983 and certain other acts and for other purposes.

Motion agreed to.

Read first time.

SEVERE SUBSTANCE DEPENDENCE TREATMENT BILL

Introduction and first reading

Mr ANDREWS (Minister for Health) — I move:

That I have leave to bring in a bill for an act to enact a new legislative scheme for the detention and treatment of persons with a severe substance dependence, to repeal the Alcoholics and Drug-dependent Persons Act 1968 and for other purposes.

Ms WOOLDRIDGE (Doncaster) — I ask the minister to provide a brief explanation of the bill.

Mr ANDREWS (Minister for Health) — This bill repeals the Alcoholics and Drug-dependent Persons Act

and establishes a new system of civil detention and treatment of a person with severe substance dependence where those measures are necessary as a matter of urgency to save that person's life or to prevent serious harm to that person.

Motion agreed to.

Read first time.

EDUCATION AND TRAINING REFORM AMENDMENT BILL

Introduction and first reading

Ms PIKE (Minister for Education) — I move:

That I have leave to bring in a bill for an act to amend the Education and Training Reform Act 2006 and for other purposes.

Mr DIXON (Nepean) — I ask the minister for a brief explanation of the bill.

Ms PIKE (Minister for Education) — These amendments are being put in place because of the Victorian Institute of Teaching review that was undertaken. They go to the enhancement of the operation of the merit protection boards, improvements to the role and function of the Victorian Institute of Teaching and other matters in the light of the national goals for schooling.

Motion agreed to.

Read first time.

TRANSPORT INTEGRATION BILL

Introduction and first reading

Ms KOSKY (Minister for Public Transport) — I move:

That I have leave to bring in a bill for an act to create a new framework for the provision of an integrated and sustainable transport system in Victoria, to amend the Transport Act 1983, the Marine Act 1988, the Rail Corporations Act 1996, the EastLink Project Act 2004 and certain other acts, to repeal the Southern and Eastern Integrated Transport Authority Act 2003 and for other purposes.

Dr NAPHTHINE (South-West Coast) — I ask the minister to provide the house with a brief explanation of the bill.

Ms KOSKY (Minister for Public Transport) — This bill will enshrine a new policy framework for a more

integrated and sustainable transport system, and it will unify the transport portfolio under one central statute. There has been a lot of consultation, and a discussion paper has been out in the public domain for probably six months, so many are familiar with what this new framework will look like. It is important in terms of the whole of the transport department and transport decisions coming under a broad framework so there is consistency right across different transport modes.

Motion agreed to.

Read first time.

LIVESTOCK MANAGEMENT BILL

Introduction and first reading

Mr HELPER (Minister for Agriculture) — I move:

That I have leave to bring in a bill for an act to regulate livestock management in Victoria and for other purposes.

Mr DELAHUNTY (Lowan) — I ask the minister to give a brief explanation of what this bill entails.

Mr HELPER (Minister for Agriculture) — Did I hear an emphasis on 'brief'? The bill seeks to, firstly, legislate standards relating to the management of livestock; secondly, recognise existing compliance arrangements demonstrating high livestock management standards and provide a mechanism for establishing co-regulatory arrangements; thirdly, encourage implementation of approved quality assurance programs and/or equivalent compliance arrangements; and fourthly, improve community understanding of livestock management standards.

Motion agreed to.

Read first time.

BUSINESS OF THE HOUSE

Notices of motion: removal

The SPEAKER — Order! I advise the house that under standing order 144 notices of motion 76, 77, 152, 153 and 243 to 262 will be removed from the notice paper on the next sitting day. A member who requires the notice standing in his or her name to be continued must advise the Clerk in writing before 6.00 p.m. today.

NOTICES OF MOTION

Notices of motion given.

Dr SYKES having given notice of motion:

The SPEAKER — Order! I am sure the clerks will offer the Speaker some advice on that notice.

Further notices of motion given.

PETITIONS

Following petitions presented to house:

Insurance: fire services levy

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house the inequitable nature of the current fire services levy (FSL) on house, property and business insurance and points out to the house that everyone who benefits from fire services should contribute to its funding not just those who take out insurance whose premiums are effectively doubled by the FSL and associated taxes.

The petitioners therefore request that the Legislative Assembly of Victoria investigate and implement a fairer model of funding fire services.

By Dr SYKES (Benalla) (79 signatures).

Liquor: licences

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house the need to urgently reconsider the proposed massive increases in liquor licence fees in view of the enormous adverse impact such across-the-board increases will have on many highly reputable liquor outlets, and most particularly those in country areas.

Such huge blanket increases in licence fees will impact on employment, community sponsorships, even business survival in some cases. Risk-based fees should actually address the problems which have arisen in 'hot spot' areas, distinguish activities increasing risk of antisocial behaviour, and be imposed selectively, to address those issues.

The petitioners therefore request that the Victorian government recognises the damage such across-the-board increases will cause, particularly in many country communities, and review the legislation as a matter of urgency.

By Dr SYKES (Benalla) (33 signatures) and Mr JASPER (Murray Valley) (118 signatures).

Bushfires: public land management

To the Legislative Assembly of Victoria:

The petition of the undersigned residents of the Upper Yarra Valley, residing from Reefton through East Warburton,

Millgrove, Wesburn and beyond, draws the attention of the house to the need to further support responses and needs of the community of this area, and comes in the context of Black Saturday and previous events, i.e. Ash Wednesday.

We understand that the population statistics and ease of implementation governed the choice of the 52 townships. However, seeing that we are in a very similar situation of vulnerability to the Dandenong Ranges, if not more so, and due to the topography and dangerous and difficult exit road, we feel like sitting ducks in danger of being trapped.

We urge the government to start implementing these points immediately, to prevent a possible tragedy similar to the one on Black Saturday ever happening again.

The petitioners therefore request the Legislative Assembly of Victoria to:

1. add the Upper Yarra Valley to the list of 52 townships nominated as high-risk fire areas in Victoria. In view of the amended policy of 'relocate' to review and implement an easier exit strategy and traffic flow between Scotchmans Creek Road and Millgrove during emergencies by:
 - (a) widening the Warburton Highway along the north-facing verge, where nature strips permit, to facilitate overtaking in case of unforeseen circumstances
 - (b) widening the Warburton walking track to the width of one car as an alternative exit route in case of emergency
 - (c) easing the traffic load on Warburton highway by building a bridge from the end of Dammans Road to Millgrove to bypass possible bottlenecks
2. provide safe and suitable refuges in Warburton and East Warburton
3. implement a township warning system and protection plan
4. provide appropriate permanent radio reception of ABC 774 to Warburton and East Warburton, which are in a blind spot and leave residents without adequate information and communications systems
5. fuel reduction to be implemented immediately by increasing the area of annual fuel-reduction burning by at least three times as recommended by the Environment and Natural Resources Committee during the short window of opportunity still available, to reduce the danger of firestorms in this heavily forested area.

By Mrs FYFFE (Evelyn) (578 signatures).

Longford-Loch Sport Road: upgrade

To the Legislative Assembly of Victoria:

The citizens of Loch Sport, Golden Beach and the Ninety Mile Beach communities draw to the attention of the Legislative Assembly the recent announcements as to proposed increased usage of the waste treatment and storage facilities at Dutton Downs and further as to the urgent need

for upgrade roadworks on the Loch Sport road which provides transport access to the site and the citizens call upon the Legislative Assembly to require of the government that the necessary repairs and improvements to the road be undertaken immediately.

By Mr RYAN (Gippsland South) (254 signatures).

Public holidays: show days

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house the inequitable nature of the current policy on the allocation of show day holidays in lieu of the Melbourne Cup Day holiday.

The petitioners point out to the house that this legislation is having devastating effects on the survival of traditional A and P show days due to the inability of local schools and businesses to close and thus attend on the day of the show.

The petitioners therefore request that the Legislative Assembly of Victoria amends its legislation thus allowing local government councils the flexibility to allocate the show day holiday to individual communities according to the day in which the community deems it is appropriate to conduct its show day event.

By Mr DELAHUNTY (Lowan) (38 signatures).

Patient transport assistance scheme: rural access

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house the inequitable nature of the current level of reimbursement under the Victorian patient transport assistance scheme (VPTAS) and points out to the house that many rural patients are disadvantaged under the current scheme.

The petitioners therefore request that the Legislative Assembly of Victoria

- a. update and revise the VPTAS regulations from 100 kilometres to 50 kilometres one way to the most appropriate town centre with medical/dental specialist treatment, not just the nearest available town centre;
- b. increase the current 17 cent-per-kilometre reimbursement rate and accommodation reimbursement rate of \$35 plus GST to levels that are more reflective of the current travel and accommodation costs;
- c. allow for the calculation of kilometres travelled to be based on the safest appropriate road route not just the shortest distance alternative.

By Mr CRISP (Mildura) (14 signatures).

Rail: Mildura line

To the Honourable the Speaker and members of the Legislative Assembly of Victoria:

This petition of the citizens of the region known as Sunraysia, primarily in the state of Victoria but including cross-border

citizens of New South Wales centred on the city of Mildura, brings to the attention of the house the many promises to return the Melbourne–Mildura passenger train, without delivery.

The undersigned petitioners therefore ask the Legislative Assembly to bring forward the reinstatement of the said Melbourne–Mildura passenger train, especially in view of:

1. the many undelivered promises;
2. the urgent need to promote public transport in a global warming context;
3. the pressing need to connect remote Mildura to both Melbourne and the national rail network; and
4. the geographic distance now requiring a rapid service (very fast train) to be competitive.

By Mr CRISP (Mildura) (17 signatures).

Insurance: fire services levy

To the Legislative Assembly of Victoria:

The petition of residents of Victoria draws to the attention of the house the inequitable nature of the current fire services levy and points out to the house the unfair burden that the increasing percentage of fire services levy in insurance premiums places on country Victorian households (26 per cent) and businesses (68 per cent) compared with Melbourne households (21 per cent) and businesses (51 per cent).

The petitioners therefore request that the Legislative Assembly of Victoria investigate and implement a fairer model of funding fire services, as is the case in other states of Australia.

By Mr CRISP (Mildura) (20 signatures)

Students: youth allowance

To the Legislative Assembly of Victoria:

This petition of residents of Victoria draws to the attention of the house the proposal to change the independence test for youth allowance by the federal government.

The petitioners register their opposition to the changes on the basis that the youth allowance changes proposed in the federal budget place another barrier to university participation for students in regional areas; unfairly discriminate against students currently undertaking a 'gap' year; and contradict other efforts to increase university participation by students from rural and regional Australia.

The petitioners therefore request that the Legislative Assembly of Victoria reject the proposal and call on the state government to vigorously lobby the federal government to ensure that a tertiary education is accessible to regional students.

By Mr CRISP (Mildura) (14 signatures) and Mr WALSH (Swan Hill) (51 signatures).

Rail: Traralgon line

To the Legislative Assembly of Victoria:

The petition of the residents of Gippsland draws to the attention of the house the intention of the Brumby government to terminate some of the existing Traralgon V/Line services at Flinders Street station.

The petitioners therefore request that the Legislative Assembly of Victoria retain all current Traralgon V/Line services to Southern Cross station.

By Mr NORTHE (Morwell) (28 signatures).

Equal opportunity: legislation

To the Legislative Assembly of Victoria:

The petition of the undersigned residents of Victoria draws to the attention of the house our grave concern about many of the proposals contained in the 'Exceptions and Exemptions to the Equal Opportunity Act 1995 Options Paper' published by the Scrutiny of Acts and Regulations Committee in May 2009.

The petitioners therefore request that the Legislative Assembly of Victoria ensures that Victorians in future will continue to enjoy the freedom of choice that the current exemptions and exceptions provide for us in the exercise of our faith and values. In particular we would like to retain the freedom to educate our children in accordance with our faith and values. Removal or limiting of the provisions that allow freedom of choice in regards to faith-based schools in particular must be avoided.

By Mr R. SMITH (Warrandyte) (62 signatures).

Tabled.

Ordered that petition presented by honourable member for Evelyn be considered next day on motion of Mrs FYFFE (Evelyn).

Ordered that petitions presented by honourable member for Mildura be considered next day on motion of Mr CRISP (Mildura).

Ordered that petitions presented by honourable member for Benalla be considered next day on motion of Dr SYKES (Benalla).

Ordered that petition presented by honourable member for Murray Valley be considered next day on motion of Dr SYKES (Benalla).

Ordered that petition presented by honourable member for Morwell be considered next day on motion of Mr NORTHE (Morwell).

Ordered that petition presented by honourable member for Lowan be considered next day on motion of Mr DELAHUNTY (Lowan).

ABORIGINAL AFFAIRS VICTORIA**Indigenous affairs report 2008–09**

Mr WYNNE (Minister for Aboriginal Affairs), by leave, presented report.

Tabled.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE**Alert Digest No. 15**

Mr CARLI (Brunswick) presented *Alert Digest No. 15 of 2009* on:

**Consumer Affairs Legislation Amendment Bill
Criminal Procedure Amendment (Consequential and Transitional Provisions) Bill
Legislation Reform (Repeals No. 5) Bill
Royal Melbourne Institute of Technology Bill
Swinburne University of Technology Bill
University of Ballarat Bill
Victoria University Bill
Water Amendment (Entitlements) Bill**

together with appendices.

Tabled.

Ordered that report and appendices be printed.

DOCUMENTS

Tabled by Clerk:

Health Services Commissioner — Investigation Report into Shamir Shalom — Ordered to be printed

Interpretation of Legislation Act 1984 — Notice under s 32(3)(a)(iii) in relation to Statutory Rule 125 (*Gazette G47, 19 November 2009*)

Land Acquisition and Compensation Act 1986 — Certificate under s 7

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's New Directions in Accountability, Inquiry into Victoria's Public Finance Practices and Legislation

Planning and Environment Act 1987 — Notices of approval of amendments to the following Planning Schemes:

Ararat — C14 Part 1, C15

Ballarat — C107

Bass Coast — C97, C106

Baw Baw — C72

Cardinia — C60

East Gippsland — C63

Golden Plains — C46

Greater Dandenong — C104

Horsham — C25 Part 3, C48

Kingston — C108

Latrobe — C52

Manningham — C85

Monash — C74

Moyne — C21

South Gippsland — C45

Stonnington — C83

West Wimmera — C19

Whitehorse — C20, C122

Wodonga — C41, C61, C70

Wyndham — C111

Yarra — C99

Yarra Ranges — C40

Statutory Rules under the following acts:

Criminal Procedure Act 2009 — SR 145

Relationships Act 2008 — SR 142

Supreme Court Act 1986 — SRs 144, 145, 146

Wildlife Act 1975 — SR 143

Subordinate Legislation Act 1994:

Minister's exception certificates in relation to Statutory Rules 144, 145, 146

Minister's exemption certificate in relation to Statutory Rule 140

Wrongs Act 1958 — Notice under s 28LXA (*Gazette G48, 26 November 2009*).

The following proclamations fixing operative dates were tabled by the Clerk in accordance with an order of the House dated 19 December 2006:

Greenhouse Gas Geological Sequestration Act 2008 — Remaining provisions (except Division 2 of Part 18) — 1 December 2009 (*Gazette S439, 1 December 2009*)

National Parks Amendment (Point Nepean) Act 2009 — Sections 3, 4, 5, 6, 7 and 8 — 6 December 2009 (*Gazette G49, 3 December 2009*)

Personal Property Securities (Commonwealth Powers) Act 2009 — Section 6(2) — 26 November 2009 (*Gazette G48, 26 November 2009*).

VALUATION OF LAND AMENDMENT BILL

Council's amendments

Returned from Council with message relating to amendments.

Ordered to be considered later this day.

ROYAL ASSENT

Messages read advising royal assent to:

1 December

**Constitution (Appointments) Act
Deakin University Act
Electricity Industry Amendment (Critical Infrastructure) Act
Emergency Services Legislation Amendment Act
Fair Work (Commonwealth Powers) Amendment Act
La Trobe University Act
Monash University Act
Sentencing Amendment Act
University of Melbourne Act**

8 December

**Health Practitioner Regulation National Law (Victoria) Act
Land Legislation Amendment Act
Land (Revocation of Reservations and Other Matters) Act
Parks and Crown Land Legislation Amendment (River Red Gums) Act
State Taxation Acts Further Amendment Act.**

APPROPRIATION MESSAGES

Messages read recommending appropriations for:

**Consumer Affairs Legislation Amendment Bill
Liquor Control Reform Amendment (Party Buses) Bill
Royal Melbourne Institute of Technology Bill
Swinburne University of Technology Bill
University of Ballarat Bill
Victoria University Bill.**

RURAL AND REGIONAL COMMITTEE**Membership**

The SPEAKER — Order! I have received the resignation of Ms Marshall from the Rural and Regional Committee effective today.

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE**Membership**

The SPEAKER — Order! I have received the resignation of Mr Ryan Smith from the Scrutiny of Acts and Regulations Committee effective today.

PARLIAMENTARY COMMITTEES**Membership**

Mr BATCHELOR (Minister for Community Development) — By leave, I move:

That Mr Nardella be appointed a member of the Rural and Regional Committee and Mr Burgess be appointed a member of the Scrutiny of Acts and Regulations Committee.

Motion agreed to.

BUSINESS OF THE HOUSE**Program**

Mr BATCHELOR (Minister for Community Development) — I move:

That, under standing order 94(2), the orders of the day, government business, relating to the following bills be considered and completed by 4.00 p.m. on Thursday, 10 December 2009:

Consumer Affairs Legislation Amendment Bill 2009

Justice Legislation Miscellaneous Amendments Bill 2009 — amendment of the Legislative Council

Legislation Reform (Repeals No. 5) Bill 2009

Liquor Control Reform Amendment (Party Buses) Bill 2009

Melbourne Cricket Ground and Yarra Park Amendment Bill 2009

Royal Melbourne Institute of Technology Bill 2009

Swinburne University of Technology Bill 2009

University of Ballarat Bill 2009

Victoria University Bill 2009

Water Amendment (Entitlements) Bill 2009.

Members can see from this government business program before the house today the totality of the listing of the bills for the remainder of Tuesday and for Wednesday and Thursday of this parliamentary week, which sets out the legislative objective of the government.

Without anticipating the outcome of debate, we will be asking the house to consider whether it is appropriate for the various educational institution bills to be dealt with in a cognate debate on this occasion, as the university bills were on a previous occasion when they came before this Parliament. Once that is taken into consideration, it can be seen that not only is this a government business program that is achievable but, looking at the series of bills that were introduced today, it is appropriate for the last sitting week of this parliamentary year.

Mr McINTOSH (Kew) — I am intrigued by this government business program. From looking down the list I can say it is certainly my opinion that the government business program is not quite as busy as those for the previous two sitting weeks. The opposition certainly takes the view that we will have ample time to debate the various bills on the government business program. As I have said before, it is deeply regrettable that the government appears to be unable to manage its own affairs with regard to its legislative program. We had an extremely busy period last week where we had to sit longer than usual to complete the government business program. A number of members were unable to make their contribution on various bills because debate was guillotined. A similar circumstance occurred in the previous sitting week in that there seemed to be a great number of bills on the government business program and a number of speakers were unable to make their contribution.

It seems curious that the government has been unable to appropriately manage its affairs to produce the government business program. While there appear to be a large number of bills on that government business program, as we have heard from the Leader of the House there is a motion before the house to have the four university bills dealt with as a cognate debate as we did in a previous sitting week in relation to similar bills that were before us. I can certainly indicate to the house that the opposition will not oppose having a cognate debate on those four bills.

The Justice Legislation Miscellaneous Amendments Bill is also on the government business program. That

bill proposes a minor amendment, and I will be having more to say about that, but that is certainly not going to trouble the house.

In effect six bills are before the house. As I have said, I imagine there will be ample time to complete those six bills. It is deeply regrettable that we come to this last week with not a significant amount of business before the house when in the two previous weeks a number of members were unable to make their contributions on various bills because there was so much business before the house. As we saw last week, we had to sit those extended hours. Although reason did prevail, we had to sit longer than normal and those debates had been truncated. As I said, it is unfortunate the government cannot manage even the simple task of managing its own legislative program to enable appropriate time to be provided to all those who wish to make a contribution. However, I do not believe that that is going to be the case this week.

There is one other matter I want to mention in respect of the Melbourne Cricket Ground and Yarra Park Amendment Bill and the Liquor Control Reform Amendment (Party Buses) Bill. The government has requested the opposition to not only support the passage of those two bills through this chamber but also expedite the process through another place to enable those bills to be passed by the upper house by the end of this week. I indicate that the opposition's current position in relation to the liquor control bill is to agree to the expedition of that particular matter. A specific request has been reiterated very recently by the Minister for Consumer Affairs to the shadow minister, the member for Malvern. That bill will be facilitated through both houses.

I understand there were brief conversations very early on in the discussion in relation to the Melbourne Cricket Ground bill. Although there has been a request to have that bill passed through both houses of Parliament this sitting week, those discussions will no doubt continue. The opposition does not have any firm position in relation to that matter except that an appropriate time should be allowed for debate and consideration in the upper house.

We know that the Greens in the other place have a pretty firm rule that says they need time to consider all bills, given their limited resources. Accordingly that will be a matter for them. At this stage the opposition will welcome those ongoing discussions, but certainly it is a matter for the government to manage the Melbourne Cricket Ground bill.

Apart from those brief comments emphasising our concern that again we see a government unable to manage its legislative program in this place, the opposition does not oppose the government business program.

Mr DELAHUNTY (Lowan) — The Nationals in coalition will also not be opposing the government business program. As a member who comes down from country Victoria regularly on a Sunday and goes back usually late on a Thursday, it is a bit disappointing to see from this government business program that a couple of bills are not listed and are not going to be debated in this calendar year. I draw the attention of members to order of the day 6, which is the Water Amendment (Critical Water Infrastructure Projects) Bill 2006. The amendments have come back from the Legislative Council, and the bill still sits on our government business program. We have heard a lot about water, but we do not see much action in relation to that bill from the government.

Like the member for Kew, I have looked at this, and we agree that the four university bills should be debated together — that is, the Swinburne University of Technology Bill, the Victoria University Bill, the Royal Melbourne Institute of Technology Bill and the University of Ballarat Bill. The University of Ballarat is one that covers my area, along with RMIT.

The Leader of the House said a couple of weeks ago when we talked about the government business program that there would be time for debate on the annual statement of government intentions. Again I highlight that the notice paper says 'Responses to the statement'. This item has been sitting on the government business program since the start of the year, and only two or three members on this side of the house have had the opportunity to speak on it. We are just about due for the statement of government intentions for 2010. This is another one of the things promised at the start of the year that has not been delivered.

The member for Kew spoke about how during the last sitting week a lot of members did not get an opportunity to speak on bills that are important to their electorates. As you would know, Acting Speaker, it is often said about this place that many speeches are prepared, are not able to be delivered and end up in the bottom drawers of many members' filing cabinets. Unfortunately that happened during the last sitting week, but this week we have a reasonable set of bills to go through. There are 10 bills on the business program including four university bills on which there will be cognate debate and the Justice Legislation

Miscellaneous Amendments Bill which has been returned from the Legislative Council with an amendment. The Nationals will not be opposing this week's business program.

Mr LANGDON (Ivanhoe) — I rise to comment briefly on the government business program. Throughout the year I have heard members, particularly the member for Lowan, commenting on the annual statement of government intentions. This issue has arisen because we have not had time to debate the statement. I concur with that view, but we must remember that an enormous event occurred after the statement was made by the Premier. Unfortunately Black Saturday did occur and we spent a large amount of time discussing the bushfires. I do not think any member of this house would have wanted to forgo those discussions. Opportunities to speak on the annual statement of government intentions were limited, but there were very good reasons for that. I commend the government business program. Hopefully, if there are no tragedies or other events, we will have more time for members to speak on next year's statement.

Mr HODGETT (Kilsyth) — I rise to make a few comments on the government business program. This week sees yet another example of the government simply not being able to get its act together and manage the government business program. In effect 10 bills are to pass through this house before the 4.00 p.m. deadline on Thursday, assuming that the cognate debate on the university bills is completed. We will then need to debate the Justice Legislation (Miscellaneous Amendments) Bill to which the Legislative Council has made an amendment. As has been said, we have had two fairly busy sitting weeks during which the government business program stifled debate on a number of bills — a number of members were cut short and were not able to make valuable contributions to those debates — and now we have what seems a very comfortable week as the Brumby government winds down for Christmas.

Other bills on the program — the Liquor Control Reform Amendment (Party Buses) Bill and the Melbourne Cricket Ground and Yarra Park Amendment Bill — were originally included in the government business program for the last sitting week. They were both taken off and now they have been put back on, and we are being asked to facilitate the passage of those bills through both houses. I believe opposition members will support their passage, but it is yet another example of the government not being able to manage the government business program.

Given the lazy week the government has planned as it winds down for Christmas, I would have thought we might get back to some debate on the annual statement of government intentions, but as we heard the Leader of the House say during the notices of motion, that will die a quick death. What a joke and what an embarrassment that has been for the government.

The government business program clearly indicates the government's incompetence in managing the business program for this last sitting week.

Ms MUNT (Mordialloc) — I am very pleased to stand up in the right spot to speak on the government business program this week: I got in right at the end.

Mr Stensholt — The right spot at the right time.

Ms MUNT — The right spot at the right time — that's right! I would like to speak on the government business program.

An honourable member interjected.

Ms MUNT — Yes, I am sure. I even checked with the manager of government business before I got up to speak, and I am sure. I would like to speak on the government business program. As previous speakers have said, there are 10 bills on the government business program including four university bills which will be debated cognately, the Melbourne Cricket Ground and Yarra Park Amendment Bill, the Legislation Reform (Repeals No. 5) Bill, the Liquor Control Reform Amendment (Party Buses) Bill, the Justice Legislation Miscellaneous Amendments Bill and the Consumer Affairs Legislation Amendment Bill.

In particular I want to comment on the Liquor Control Reform Amendment (Party Buses) Bill, a piece of legislation that must be debated in the last sitting week before Christmas — before we go into the party and holiday period. The bill proposes to regulate the party bus industry in Victoria, particularly in light of some incidents that have occurred in Victoria during party bus trips. We need to get the party bus bill and the universities bills through because this is the last sitting week of the year and this house needs to pass that legislation before the beginning of 2010.

I hope opposition members will support the government business program; I am not sure if they will or will not. Generally speaking they comment on the inability of government members to manage the business program and say that we are lazy. Let me say that we are always prepared to work through the program and to do a full day's work in the Parliament to get legislation through.

An honourable member — You want to go off in a party bus!

Ms MUNT — No, I am not going to go off in a party bus. I support the government business program for this sitting week and commend it to the house.

Motion agreed to.

MEMBERS STATEMENTS

Emergency services: south-western Victoria helicopter

Dr NAPHTHINE (South-West Coast) — After a long community campaign a multipurpose emergency helicopter commenced operation in south-western Victoria in July this year. Already this helicopter has saved dozens of lives. I now seek action from the state government to approve the building of an emergency helicopter landing pad on the Ploughed Field site opposite the Portland hospital. This site provides ready access for patients from the hospital directly to the helicopter. Other proposed sites involve land ambulance transfers, multiple stretcher transfers, place significant stress on patients and lose critical time. The Ploughed Field site is the much-preferred site of the helicopter pilots, ambulance officers, the local hospital and the wider Portland community. The community has funding ready to build this 15-square-metre concrete helipad as soon as approval is granted.

The land is open Crown land managed by the Glenelg Shire Council. Other parts of this cliff-top land have historical significance for local Aboriginal people and it is the site of the first crop planted by white settlers in Victoria. However, I am advised that the building of the helipad will not interfere with these heritage sites. The helicopter has averaged one emergency life-saving evacuation from Portland every month since July. There is an urgent need for this helipad to be built close to the hospital.

I call on the government to cut through the red tape, to not allow this process to become bogged down and to immediately approve the site on the Ploughed Field opposite the hospital for the construction of a helipad for use by the emergency helicopter in south-west Victoria.

Northern Business Achievement Awards

Mr BATCHELOR (Minister for Community Development) — It was with much pleasure last week that I was able to represent the Premier and present the inaugural 2008–09 Northern Business Achievement

Awards (NBAA). The awards acknowledge and celebrate the success and achievements of small to medium enterprises (SMEs) in Melbourne's north. With more than half a million SMEs in Victoria providing almost 1.4 million jobs and representing 99 per cent of the state's total businesses, it is great to see the achievements of these critically important enterprises being recognised and celebrated. The awards are the culmination of the NBAA's business excellence forum, which holds regular meetings throughout the year and is intended to encourage innovation and excellence. The networking and sense of cohesion generated by this forum will be vital in leveraging the northern metropolitan region's strength and attracting business and skills investment to the area.

I was pleased to be able to announce Chris' Greek Dips and Yoghurts of Thomastown as the 2008–09 business of the year. Other category winners included Zeobond in Somerton, Lovett Technologies in Greensborough, Chocolatier in West Heidelberg and Modec in Coburg. These businesses bring employment to the people of the northern suburbs, and they are to be congratulated for doing that.

Greyhound racing: Wangaratta

Mr JASPER (Murray Valley) — I bring to the attention of the house the anger of the Wangaratta Greyhound Racing Club, the greyhound owners of north-eastern Victoria and the community of Wangaratta and surrounding areas about the closure of the greyhound racing facilities at Wangaratta on 31 December this year. Members would be aware of my criticism of Greyhound Racing Victoria's board, and in particular chief executive officer (CEO) John Stephens, and the closure at the end of June this year of the weekly greyhound meetings at Wangaratta.

Despite my strongest representations, including deputations to the board and the CEO, following the announcement in April of the proposed closure and accusations of a lack of action at a local level, including the Rural City of Wangaratta and myself, the board has been hell-bent on closing these facilities. The greyhound meetings at Wangaratta have been successful and apparently run to the earlier satisfaction of the board. The greyhound industry in north-eastern Victoria has been devastated by the unilateral action taken by the board and suggestions that \$8 million would be required to upgrade the facilities. Estimates provided to me indicate \$2 million would be a more than realistic figure to meet the requirements.

Additionally the Rural City of Wangaratta has been required to consider funding of \$4 million to assist in

the reinstatement of the facilities. It is a ridiculous proposition that has been put to the rural city. I have sought in writing an on-site meeting with all interested parties to discuss the reinstatement of greyhound racing at Wangaratta's Avian Park, and I call on the Minister for Racing to intervene in this important issue.

Shane Bourke

Mr PALLAS (Minister for Roads and Ports) — I rise to acknowledge one of Wyndham's finest. Shane Bourke has served the community of Wyndham for many years and is currently serving his fifth term as a councillor on the Wyndham City Council. Shane also recently completed an incredible fifth term as the city's mayor.

Shane has faced many challenges as Wyndham's mayor and as a local councillor. He has shown extraordinary leadership by tackling Wyndham's growth head on to ensure the needs of the community for the future are met. He has been an extremely strong advocate for Wyndham and has forged a strong relationship with both state and federal governments, endeavouring to provide the best outcomes for the people of Wyndham. Shane has served faithfully as a justice of the peace, on Melbourne's interface councils forum, the committee of management for Quantin Binnah Community Centre Management, the Heathdale Neighbourhood Renewal Steering Committee, the audit and ethics committee, the Committee for Wyndham and the quality community plan task force.

Shane has been a committed and strong representative of Wyndham. I would like to acknowledge his ongoing contribution to our community and the support of his wife, Kerrie, and children, Amanda and Cameron. I wish him well for the next three years of his council term.

EastLink: noise barriers

Mr CLARK (Box Hill) — Noise from the Eastern Freeway following the opening of EastLink has reached intolerable levels for many residents of Balwyn North, Mont Albert North and Box Hill North, particularly in areas which have no noise barriers at all. Residents cannot open windows, use their gardens or sleep at night. One resident has shown me bags full of the earplugs he has to buy regularly to try to get some sleep.

The government was warned EastLink would bring big noise increases, but it ignored those warnings. VicRoads has taken some further noise measurements, the location and accuracy of which many residents

dispute. However, the main problem is VicRoads's government-supported noise abatement threshold on existing freeways, which is set at 68dB(A) L10 averaged from 6.00 a.m. to midnight. This across-the-board threshold fails to recognise either the walls of noise that hit residents during peak periods or the spikes of engine brakes and other noises that punctuate night-time sleep.

The Environment Protection Authority has a statutory role to act on noise pollution, whether it comes from the private or public sector. I have written to the EPA asking for action, but while sympathetic to the problem it has deferred to VicRoads. This is not good enough. The EPA has the power to prepare a state environment protection policy (SEPP) on freeway noise which can be approved by the Governor in Council on recommendation of the EPA and then becomes enforceable. The EPA started drafting such a SEPP in 2002 but it was never published or gazetted.

I call on the EPA to fulfil its statutory duty under section 13 of its act and to prepare and recommend to the Governor in Council a SEPP on freeway noise, and I call on the Minister for Environment and Climate Change to defend the EPA against any attempts within government to stop it doing so.

Students: National History Challenge

Mrs MADDIGAN (Essendon) — I had the pleasure on Sunday to present the Victorian National History Challenge awards on behalf of the Premier. I congratulate Richard Smith, chair of the National History Challenge, and the Victorian coordinators, Jo Clyne and Colin Pearce, for running this excellent program. It allows students between years 5 and 12 to present historical projects which can be in the form of a research essay, a performance, a 3D museum display and model or multimedia.

Some of the work from young students was particularly impressive. There were winners from a range of schools in Victoria; namely, St Monica's Primary School in Footscray, Loreto College, Presbyterian Ladies College, Mildura Senior College, Camberwell Girls Grammar School, Matthew Flinders Girls Secondary College, Camperdown College, Red Cliffs Secondary College and Laburnum Primary School. I particularly congratulate Anna Ziegler from Presbyterian Ladies College for winning the Premier's prize for the Victorian young historian for the excellent work she did under the immigrant experience category.

The work of these students was most impressive, and I think this is an excellent way for young students in our

schools to be able to develop interest in their own historical fields. I wish them well for the future. The 2010 challenge has already been advertised, and I encourage all students to have a look at it.

Electricity: smart meters

Mrs VICTORIA (Bayswater) — During the last sitting week the Auditor-General handed down a report noting that Victorians would be forced to pay for a \$1.5 billion cost blow-out in the Brumby government's smart meters electricity project. Many of my constituents are concerned about the installation of these meters and their adverse financial effects. These meters were supposed to be installed by the end of 2012, but the Auditor-General confirmed this will be delayed by more than a year.

Moreover, the Auditor-General has warned that these meters, which are intended to communicate directly with power suppliers, will benefit the electricity companies rather than consumers who will bear the brunt of the installation costs. That is a double whammy. In fact a senior power company executive has said off the record that he thinks this is one of the biggest con jobs ever on the public. When will this government stop treating Victorians like mindless sheep and start treating them with respect?

Rail: Ringwood station

Mrs VICTORIA — Enough is enough. Commuters and staff at Ringwood railway station are being harassed, abused and even assaulted on a daily basis by a gang of rogue youths. Most of these children are aged in their mid-teens, with the youngest being only 12 and 13 years old. There are many questions about why the systems in this state are letting these children down, but that is a discussion for another day.

In the meantime, the member for Warrandyte and I have been pushing for nearly four years for live-feed cameras to be installed, yet the Brumby government will do nothing. These types of camera do reduce crime. Only a coalition government will give Victorians better safety on public transport.

Mordialloc electorate: student awards

Ms MUNT (Mordialloc) — I would like to take this opportunity to congratulate the recipients of the 2009 Janice Munt, MP, endeavour awards. These awards are decided by the teachers at the students' schools on the basis of these students always giving their very best in every endeavour and being wonderful ambassadors for their schools.

Congratulations to Maddie Morrow from Cheltenham East Primary School, Alysha Morecroft from Cheltenham Secondary College, Jamie Purcell from Dingley Primary School, Bronwyn Ashley and Aaron Gupta from Heatherton Christian College, Meagan Pool from Kilbreda College, Erin Cusack from Kingston Heath Primary School, Will Porteous from Kingswood Primary School, Chanel Slade from Le Page Primary School, Siahn Beach, Cathrin Wendler and Emma Doug from Mentone Girls Grammar School, Eleanor Rowbottom and Shwetha Ravichandra from Mentone Girls Secondary College, Christopher Stockdale and Matthew Goodall from Mentone Grammar School, Emily Cole from Mentone Park Primary School, Olivia Purcell from Mentone Primary School, Aoife Cunningham from Our Lady of the Assumption Primary School, Tessa Octigan from Parkdale Primary School, Arielle Catchcart from Parkdale Secondary College, Michael Riddle from Parktone Primary School, Kim Tran and Amelia Mataafa from Spring Parks Primary School, Cameron Dimeck from St Bede's College, Lucy Jones from St Brigid's Primary School, Carla Zoumpoukas from St John Vianney's Primary School and Rebecca Flarve from St Mark's Primary School.

Congratulations to all these students. I wish them all the best for their studies in 2010.

Water: north-south pipeline

Dr SYKES (Benalla) — Yea farmer Jan Beer has written the following letter to the *Age*:

The Brumby government's jackboot regime of governance has now been completely exposed by the *Age* ... If you dare to oppose the Victorian government's 'fast-tracked' major infrastructure projects, then be prepared to have a secret dossier filed on you and given to some overseas company whose intent it is to make exorbitant profits from Australia.

The protesters in the case of the north-south pipeline are people who are the very backbone of our communities. They are teachers, CFA volunteers, captains and group officers, Rotary club presidents and members, company executives, Red Cross members, nurses, CWA members, retired police officers, shire councillors, food producers and exporters, and former MMBW water engineers.

These people, who are leaders in our communities, are angered by the erosion of our democratic right to have a full and proper consultation process and the right to have access to a transparent business case ...

...

Premier Brumby, we refuse to remain silent. As Martin Luther King said, 'Our lives begin to end the day we remain silent'.

This disgraceful action by the Labor government has sealed its fate at the next election.

I, and the vast majority of Victorians, share Jan Beer's outrage. I call upon the arrogant, unelected and unelectable Premier to plug the pipe.

Buses: Gembrook–Pakenham service

Ms LOBATO (Gembrook) — At my invitation the Minister for Public Transport visited Gembrook last week to announce the long-awaited and strongly advocated for Gembrook to Pakenham bus service. For many years Gembrook residents have lobbied for this new service that will link them to Pakenham to access services, shopping and the train line that will provide access to employment and further education. Due to more housing developments taking place in Gembrook, the demand is now greater than ever.

The new service, route 840, will link with the very successful route 695 facilitating journeys to Pakenham by residents in other local towns like Cockatoo and Emerald. This new service will commence early next year and will become another success story for the Gembrook township. Congratulations to student Michael Galea and Puffing Billy station master Bob Farr, among others, for working with me to ensure this vital service is available.

Environment: biodiversity

Ms LOBATO — Yesterday I was pleased to accompany the Minister for Environment and Climate Change to the launch of the land and biodiversity white paper entitled *Securing Our Natural Future — A White Paper for Land and Biodiversity at a Time of Climate Change*. The launch was appropriately held at Cornucopia Living Heritage Centre at Tynong North. Cornucopia is owned by Julie and Anthony Weatherhead who are local and outstanding environmentalists who have transformed Cornucopia into a cultural and environmental history exhibition. This living heritage centre provides people of all ages with the opportunity to learn about the challenges we face in developing a sustainable society as well as our important Aboriginal heritage. *Securing Our Natural Future* sets out a new framework for action that will significantly change the way Victoria's natural resources are managed. The white paper identifies 13 priority flagship areas.

Desalination plant: memorandum of understanding

Mr K. SMITH (Bass) — I am appalled at the outrageous breach of trust by the Brumby socialist

government in releasing private, secret information on community members who have been outraged by this government's blatant disregard of the community's feelings by forcing a desalination plant on the Bass Coast community.

This socialist government signed a memorandum of understanding (MOU) on 28 August through Victoria Police to give the multinational company, AquaSure, access to so-called law enforcement data, including photos, videorecordings and other police records, to manage potential security threats. I ask: what security threats? These are community representatives; these people are not terrorists. They are ordinary folk that took the right, which I thought we all had, to peacefully protest against this government's decision in regard to the desalination plant going into the community.

The fact that the information on the MOU took almost two months to become known is a big worry. How many other companies and community groups have had this private information handed out and released to multinational companies? Then of course there are subsidiary companies and organisations that it flows through to. This is an outrage by this socialist government in using despicable acts to stop criticism of it. This type of tactic has been used by Putin's Russian communist government to control its people.

Daniel Talia and Jake Carlyle

Ms BEATTIE (Yuroke) — I rise today to acknowledge the terrific achievement of two young men in my electorate of Yuroke, Daniel Talia and Jake Carlyle, both of whom were drafted into the recent national AFL (Australian Football League) draft. I am extremely pleased to inform the house that Daniel Talia from the Greenvale Football Club was selected by the Adelaide Football Club. Daniel was Adelaide's first pick at no. 13. He is described as a versatile key position player with clean hands and fantastic endurance. This concludes a fantastic year for Daniel who was also selected as the all-Australian centre half-back.

In addition Jake Carlyle from the Craigieburn Football Club was selected by the Essendon Football Club. Jake is described as a key position player with big hands who is a good mark and a great kick. Jake represented Victoria Metropolitan in the TAC Cup this year. I would like to take this opportunity to congratulate all of the parents, countless volunteers, friends and sporting clubs who have supported both Daniel and Jake throughout their junior careers. I give special mention to both football clubs in Greenvale and Craigieburn which have nurtured this talent. I would like to wish

both Daniel and Jake all the best for the 2010 season, and I very much look forward to hearing about their many successes in the AFL. Good on you, Daniel and Jake!

Street violence: Safe Streets project

Mr HODGETT (Kilsyth) — With the ever increasing number of crimes against the person, assault offences and alcohol-related violence offences in Melbourne the pressure was on for the Minister for Police and Emergency Services to do something to tackle alcohol-fuelled antisocial behaviour. The do-nothing minister was pushed aside by the Premier in May 2008 around the state budget period when \$1.2 million was announced for a safe streets research project led by Victoria Police into street crime triggers. At the time the Premier said:

... alcohol abuse is the biggest social issue facing Victoria and decisive action was needed to restore the balance between our vibrant nightlife and the increase in alcohol-related violence, antisocial behaviour and alcohol-related health problems.

Victoria Police wanted a safer Victoria and engaged the consultancy services of PricewaterhouseCoopers to undertake a safe streets project. It was a consultancy that cost over \$750 000. I am informed that the PricewaterhouseCoopers report is very good and great work, but the government has taken the report and buried it. It begs the question: why? Why would Victoria Police commission a report into the safe streets project and mention it in its annual report only to have the minister steal the report and hide it, especially when the minister continues to respond to questions on policing by bleating about the separation of powers saying that it is a police operational decision, that it is nothing to do with the government, that he cannot do anything about it and that it is not his fault.

I ask the minister: where are the results of this report? If it is all operational decisions, why has the minister taken the report to cabinet and declared the report cabinet in confidence? Why will he not make the report public? Does the minister not like the contents of the report or is this a report for the Labor government? Is the minister using taxpayers money to write the Labor Party's policing policy for the next state election? The Minister for Police and Emergency Services — Sideshow Bob — must come clean on the safe streets project report.

Di Ford

Mr STENSHOLT (Burwood) — On 23 November I attended the annual general meeting (AGM) of the

Rowen Street Kindergarten which serves families in Ashburton and Glen Iris. It clearly is a fantastic kinder with a very competent committee of volunteers, led over the last 12 months by president Kelly Eastham and treasurer Rebecca Lyster. This was the last AGM for longstanding director in charge, Di Ford, and on behalf of the kinder community I would like to pay tribute to her and her outstanding work over many years at Rowen Street.

Di Ford began at the then Ashburton community kindergarten in 1978 when it was housed in an old Nissen hut. Over the years she has seen many changes and several generations of children. She was there through many building and program changes, including in the late 1980s when numbers were very difficult due to falling birth rates in the local area as the community aged following the post-war baby boom. In 1990 she left Rowen Street only to return in 1998 to help make Rowen Street the thriving kinder it is today.

She oversaw the extensive renovations in 2002. Renovations are always difficult, especially if programs have to be kept running while building is going on. Di also survived the great sewerage disaster of 2008. In all her work she has shown great dedication and love of the children. She always has a kind word and a smile, which are great assets in any situation. Under her care Rowen Street has been a happy and nurturing place for our local children. The community thanks Di for everything she has done and wishes her well in a happy retirement.

Bushfires: Shire of Baw Baw

Mr BLACKWOOD (Narracan) — The Baw Baw Shire Council is currently being hung out to dry by the Department of Treasury and Finance in relation to its natural disaster claim following the Black Saturday Bunyip Ridge fire. The outstanding claims include an amount of approximately \$151 000 for the bushfire response claim and approximately \$879 000 for the recovery claim. This amount is \$1.03 million in total and is a very significant amount of money for the shire as it has very limited cash reserves. The bulk of its annual income is not due to be received until mid-February in the form of rate payments. The shire may well be forced to utilise overdraft facilities before then if this account is not paid by the state government.

The Baw Baw shire responded magnificently to the disaster of Black Saturday. It has been wearing significant extra costs and demands on its services because of the needs of the fire-affected families, farms and businesses in the shire. Unfortunately this will go on for some time. Roadside vegetation that was

damaged in the fire has not recovered and now poses a significant threat to newly constructed fences and poses a safety threat to traffic using these roads. This problem alone has been identified and assessed as having the potential to impose a \$1.5 million cost burden on the shire and subsequently the ratepayers. I call on the Treasurer to take back control of his department and have this outstanding account paid to the Baw Baw shire immediately so as to avoid an unnecessary extra impost being carried by the ratepayers of the shire, many of whom are already dealing with the difficulties caused by the Black Saturday fires.

North Balwyn Primary School: parliamentary debate

Ms MARSHALL (Forest Hill) — I was privileged to be invited by Scott Eastwood, an inspirational teacher, to speak to a number of students at North Balwyn Primary School on Tuesday, 1 December, on a topic very close to my heart — the Victorian parliamentary system. The students showed great enthusiasm and were eager to participate in the mock parliamentary debate I organised. It was an excellent opportunity for students to showcase their debating and public speaking skills, and they did not disappoint. I was impressed with all of them and, based on some of their performances, I expect to see one or two of them in the house in the years to come.

Dr Robin Stickland

Ms MARSHALL — I am proud to bring to the attention of the house an honour that was recently bestowed upon a much loved and very deserving educator in the Forest Hill electorate, Vermont Primary School principal Dr Robin Stickland, who recently received an inspirational teaching state and territory award under the coveted National Excellence in Teaching Awards. Dr Stickland was one of only 12 teachers in Victoria to receive the award. Nominations are submitted by the community and acknowledge those special teachers who make a profound impact on their students, parents, wider communities and their profession. A driving force behind the school's orchestra, Robin's passion for music has led her to create an annual musical concert for the Whitehorse and Maroondah school network. When asked the question 'Why teaching?', Robin replied:

For as long as I can remember I have always wanted to be an educator. I love working with children and teams of teachers to maximise the educational opportunities for the children within our care. I enjoy making sure that there is rigour in the programs that I present to children.

My enthusiasm for education and teaching is fuelled by my love of young children. I always try to see the best in all children. I have the best job in the world and I must prepare my students for the future to the best of my ability. This is what drives me to make a difference in the world of the children whose lives I touch.

Congratulations, Robin. Your leadership, passion and energy on behalf of the Vermont Primary School and its students is truly admirable and I, along with the entire school community, am pleased to see that formally acknowledged.

Mildura: World War I memorial

Mr CRISP (Mildura) — On Remembrance Day four weeks ago a \$200 000 World War I memorial was unveiled to pay tribute to Mildura's soldiers. Last week the memorial was vandalised, causing considerable distress to the Mildura community. Recently this Parliament debated the Electricity Industry Amendment (Critical Infrastructure) Bill, which has the purpose of creating new offences in order to better protect critical electricity infrastructures. Our electricity infrastructure has been identified as having significant value to the community of Victoria, and I believe war memorials are also of significant value, and as such the penalties for those who are caught defacing or vandalising such significant community icons should be comparable to the standard we have set for electrical infrastructure. Anything less would be viewed by many as encouraging this despicable and disrespectful behaviour. In light of the government's recent war memorial restoration funding, there is enough work to do in restoring the damage of the elements without having to deal with the wilful damage of the disrespectful.

Solar energy: government assistance

Mr CRISP — I urge the Minister for Energy and Resources to assist the medium-scale solar power generators. State and federal governments provide assistance for rooftop photovoltaic and large-scale power stations but provide nothing in between. Small businesses can play a part in our solar future and should be provided with comparable treatment to allow them to assist in meeting our future energy challenges.

It is also with concern that I have learnt that there is a dollar limit — and in some cases it is as low as \$50 — for surplus feed-in power generated by Victorian families. Sixty cents-plus a kilowatt hour may seem a great deal, but if there is a credit limit there is little reward for this valuable surplus power for those in my electorate who have invested heavily in rooftop generation.

Heath Mitchell

Mr LANGDON (Ivanhoe) — I would like to commend Heath Mitchell, who is currently a resident of Ivanhoe and attends Marcellin College. He has been selected as 1 of 35 students to represent Australia at the International School Sport Federation world schools cross-country championship that is being held in the Slovak Republic in April 2010. Heath is a hardworking student who is focused on his studies and has been training for cross-country for the last three years, sometimes up to 12 times a week! Heath is currently focusing most of his spare time on running and has the ambition to come in the top 10 at the world junior cross-country championship in 2010.

Matt Trachevski

Mr LANGDON — I commend Matt Trachevski, who was selected to represent Victoria in the boys' softball team by the Victorian Primary Schools Sports Association. Matt is a current Banyule resident who attends Banyule Primary School and is in grade 5. The softball team travelled to Brisbane in November to compete against all the other Australian states and their respective teams. I commend both boys on their sporting achievements.

Payroll tax: threshold

Mr WELLS (Scoresby) — This statement condemns the Brumby Labor government for tightening the revenue screws on more and more Victorian businesses each year and in particular through the payroll tax net, thereby threatening their ability to employ Victorians. Answers to questions on notice recently received reveal that another 841 Victorian businesses were added to Labor's payroll tax net in only six months, with 30 073 employers registered for payroll tax as at 30 June 2009. The government just cannot be trusted when it claims to be pro jobs, yet it continues to increasingly scoop up Victorian small businesses in the payroll tax net to fund its reckless spending.

The fact is that the state government has raked in record payroll tax revenues of more than \$30 billion since 1999. Annual payroll tax revenue has increased by 86 per cent, from \$2.2 billion in 1998–99 to a forecast \$4.1 billion this financial year, and is expected to increase by a further 20 per cent to \$4.9 billion by 2012–13. Victoria's payroll tax threshold of just \$550 000 per annum is now the lowest of all states. In comparison Queensland currently has a payroll tax threshold of \$1 million; Tasmania, \$1.01 million; Western Australia, \$750 000; New South Wales,

\$638 000; and even South Australia's threshold increased to \$600 000 in July this year.

Ballarat: government assistance

Mr HOWARD (Ballarat East) — I wish to commend the Premier for continuing to demonstrate his strong support for country and regional Victoria, and in particular for his support for and interest in Ballarat and the surrounding region. The Premier visited Ballarat twice last week, firstly, to take part in the raising of the Eureka flag at Bakery Hill as part of this year's 155th anniversary of the Eureka uprising, and then to turn the first sod on the \$11 million centre for Australian democracy to be constructed on the Eureka Stockade memorial site.

Later the same week the Premier returned to Ballarat with the state cabinet to formally open the new IBM information and technology centre. This is the latest edition to the University of Ballarat Technology Park. This \$10.8 million centre, developed with \$5 million support from the state government, will create a further 300 jobs at the technology park site, which currently sees 1400 people employed, with 1000 of those jobs having been created over the last 10 years.

The Premier also opened the new underground experience at Sovereign Hill and, with the Minister for Public Transport, welcomed the 100th new V/Locity rail carriage to Ballarat as a further signal of the success of this government's commitment to modernising regional rail travel in Victoria.

Crime: Ballarat

Mr HOWARD — I wish to thank local Ballarat police who, through their good work over the last year, have seen crimes against the person reduce by 10.1 per cent over the period. Such a sound outcome should reassure residents to have confidence in the work of our police and to — —

The ACTING SPEAKER (Mr Seitz) — Order! The member's time has expired.

Kinglake Ranges Radio

Mr HARDMAN (Seymour) — I rise to congratulate all those who worked hard to get the Kinglake Ranges Radio to air today for the first time since the ABC did such a great job keeping the Kinglake community informed in the months following Black Saturday. Kinglake Ranges community radio is back on air today. Kinglake Ranges Radio interviews local people. It has run programs with local schools and plays live music performed by local artists.

The ACTING SPEAKER (Mr Seitz) — Order!
The member's time has expired.

**ROYAL MELBOURNE INSTITUTE OF
TECHNOLOGY BILL, SWINBURNE
UNIVERSITY OF TECHNOLOGY BILL,
UNIVERSITY OF BALLARAT BILL and
VICTORIA UNIVERSITY BILL**

Concurrent debate

Mr BATCHELOR (Minister for Community
Development) — By leave, I move:

That this house authorises and requires the Speaker to permit the second reading and subsequent stages of the Royal Melbourne Institute of Technology Bill 2009, the Swinburne University of Technology Bill 2009, the University of Ballarat Bill 2009 and the Victoria University Bill 2009 to be moved and debated concurrently.

This is a procedural motion which deals with the ability of the house to debate four very similar pieces of legislation in the one debate as a cognate debate. Of course each one will be voted upon separately.

We have four pieces of legislation — the Royal Melbourne Institute of Technology Bill, the Swinburne University of Technology Bill, the University of Ballarat Bill and the Victoria University Bill. All of these deal with the institutional and governance arrangements establishing the organisations. We are proposing to deal with this in a similar way to how we dealt with the four university bills recently debated by this house. A cognate debate is an expeditious and simple way of dealing with these four separate but related pieces of proposed legislation. Therefore I have moved the motion before the house.

Mr McINTOSH (Kew) — I will say, very briefly, that the opposition does not oppose this motion. We think it is probably an appropriate way of dealing with these bills, which deal with the governance of those four universities. The most important thing is that recently the house did a similar thing in relation to four other university bills that came before the house a couple of weeks ago. Accordingly, the opposition does not oppose this motion.

Motion agreed to.

**MELBOURNE CRICKET GROUND AND
YARRA PARK AMENDMENT BILL**

Second reading

**Debate resumed from 12 November; motion of
Mr MERLINO (Minister for Sport, Recreation and
Youth Affairs).**

Mr DELAHUNTY (Lowan) — I rise on behalf of the opposition to speak on this very important bill, the Melbourne Cricket Ground and Yarra Park Amendment Bill. As we know, the MCG is the spiritual home of a lot of sport here in Victoria, whether it be Aussie Rules, football, soccer, Rugby or cricket. We are battling a little bit with the cricket test over in Adelaide today. It has also been the venue for the Olympic Games, the Commonwealth Games and many concerts and other major events that have been held in Victoria.

This bill deals with Yarra Park. Yarra Park is not only the home of the MCG but is also an important park for local residents, the people of Melbourne and the people of Victoria in general. This land was put aside by Lieutenant-Governor La Trobe in 1853. I am informed by the member for Kew that La Trobe was Lieutenant-Governor and went on to be Governor in the 1850s and 1860s. According to the member for Kew, Governor La Trobe lived in Jolimont and then moved across the river, near the botanical gardens. That is a bit of history about Yarra Park.

As we know, the main purpose of this bill is to transfer committee of management responsibility for Yarra Park from the City of Melbourne to the Melbourne Cricket Ground Trust, commonly known as the trust, which looks after the MCG, its turf and various activities associated with the ground.

The bill's main provisions are very extensive. They amend the Melbourne (Yarra Park) Land Act 1980, the Melbourne Cricket Ground Act 2009 and the Conservation, Forests and Lands Act 1987. They do this by refining the boundaries of the Yarra Park reserve to increase the amount of open space by including some unused road reservation on the north side of Yarra Park. The bill will also take away some land known as Brunton Avenue, which is now on the Yarra Park reserve. It has not been part of the park for many years.

The bill provides for the trust to be the committee of management of Yarra Park by revoking the appointment of the City of Melbourne as the committee of management. It expands the functions of the trust,

which must develop a management and improvement plan for Yarra Park each year and submit this plan to the Minister for Sport, Recreation and Youth Affairs and the Minister for Environment and Climate Change for their approval. The management and improvement plan will be required to include a statement of intent; to address a range of strategies to support major events; to support community access to the park for a range of community purposes, including informal recreation; and also to improve the health and sustainability of the park and its trees, and to enhance the amenity of the park in general.

The bill also has a provision to establish the Yarra Park Advisory Committee to advise the trust on the operation, management and improvement of Yarra Park. This committee will be made up of seven members appointed by the Minister for Sport, Recreation and Youth Affairs, including a member of the trust who will be the chair, a representative of the Melbourne Cricket Club, a person nominated by the Melbourne City Council, two persons nominated by the council and other persons the minister considers appropriate.

The opposition has consulted widely on this bill. We have spoken to many groups and with the government to try to clarify some issues, but we did not resolve all those issues before we came into the Parliament today. It is disappointing, because I have just been over to the Legislative Council papers office to see if the documents that were promised were there. I refer to a motion moved in the last sitting week, on 25 November, which was unanimously agreed to by the house. It states:

That in accordance with sessional order 21, there be tabled in the Council by 12 noon on 8 December 2009 a copy of all documents relating to proposals to transfer control of Yarra Park to the Melbourne Cricket Ground Trust or the Melbourne Cricket Club.

I went over there to see if any of that documentation had arrived and, like a lot of things that happen with this Labor government, it was not on time. Again, we are not happy that not all the issues have been resolved.

The government wants to rush this legislation through both houses. We could have had this debate a couple of weeks ago, but now the government is keen to get the bill through both houses of Parliament. It was dropped off the government business program in the last sitting week, and now the government wants to push it through both houses this week. We will make a final decision on that after hearing from the minister — who is sitting at the table here today, and I am pleased about that. However, as I said, we are also disappointed that

we did not get the documentation. The opposition is not opposed to the legislation but will raise some issues and await the minister's response. We will review our position while the bill is between the houses.

I want to give a bit of background to the MCG and Yarra Park. This ground has had a long history, going back to 1853 when permissive occupancy of the present site of the MCG in what was known then as the Police Paddock was granted to the Melbourne Cricket Club by then Lieutenant-Governor C. J. La Trobe on 23 September. It was in 1854 that the land for the ground was cleared — in other words, the trees and other vegetation — and levelled, and the first members pavilion was erected at the MCG.

It was in 1861 that the first trustees were chosen by the club and appointed by the government. In July 1869 the first bicycle race in Victoria, in tandem with a race at Croxton Park, was held at the MCG. In 1881 a telephone was installed at the MCG. In 1882 a scoreboard showing the batsman's name and how he was dismissed was erected. That was reputedly the first of its type in the world.

In March 1890 the Melbourne Football Club affiliated with the Melbourne Cricket Club. The Melbourne Football Club abandoned playing its matches at a separate ground and played all its home matches at the MCG from 1890. In 1910 the first lacrosse carnival was held at the MCG. It was in 1935 that the first women's cricket test was held at the MCG. It was Australia versus England, and the game ended in a draw.

In 1956 the MCG was the main arena for the Olympic Games, and over 107 000 people attended the opening ceremony on 22 November. As we know, in 1959 religious leader Billy Graham held a crusade there that set an all-time record for attendance at the MCG of at least 130 000. It was in 1979 that the first military tattoo was held at the MCG. These facts highlight that the MCG has been used not only for football, cricket and other sporting events but importantly also for a lot of other major events.

It was in 2008 that Sir Jack Brabham's legendary race car, the Repco Brabham BT19, was installed in the National Sports Museum ahead of the museum's 13 March opening. I have been to the National Sports Museum, and I suggest to anyone who has not been there it is a place to go and see, along with the library. Not only is the MCG a sporting, cultural and events arena but importantly there is a lot of history involved in the ground and surrounds.

I know a member talked about the MCG being the home of football. Again, I was fortunate to play a few games there. In fact I received my only two Brownlow Medal votes playing on the MCG against Richmond in 1973 — against Kevin Sheedy, who went on to greater things. That is one claim to fame that I have. But it was a great thrill for me to be involved in sport and to play football there, as it is for anyone who gets the opportunity to go on that ground.

The MCG is part of Yarra Park. As we know, it was first established in 1853. The area of the MCG itself is 18 acres, or 7.26 hectares. The area of the arena is 1.8 hectares, and it now has a capacity of nearly 100 000 people. As I said, the largest crowd was back in 1959, with over 130 000 people. The largest football crowd — unfortunately it was at the grand final between Collingwood and Carlton — was in 1970, with nearly 122 000 people; and the largest cricket crowd was in 1961 during the Australia versus West Indies match, with just over 90 000. It is clear that a lot of people go to the MCG.

Importantly Yarra Park itself, which will be affected by this bill, is 28.7 hectares in area. As members know, part of this bill will excise some of that land, being the Brunton Avenue or railway land of approximately 2.2 hectares, but it will also include an area on the northern side of Yarra Park, which is an unused road reserve, also approximately 2 hectares in area. So the full area of Yarra Park will be about 28.5 hectares. It is an important and large area of land in the centre of Melbourne.

But of course the big issue is car parking. In getting to where we are today I tried to find out how many days Yarra Park is used as a car park. I have information from the Melbourne City Council that shows that in 2008 it was used on 156 days. There are other views that it was used on more days than that. It is interesting to look back at the figures: in 2004 it was used on 131 days; in 2005, 161 days; in 2006, 140 days; in 2007, 170 days; and last year it dropped back to 156 days. That shows that the number of days Yarra Park has been used as a car park annually has varied.

The upgrade of this park is a key priority of this bill, and I appreciate that, but importantly the Melbourne Cricket Ground people I have spoken to have stated to me that they are very keen to set up a good advisory committee, with the support of the government and the Melbourne City Council, and obviously to bring forward a management and improvement plan which will facilitate upgrading the park.

I got hold of a copy of the Yarra Park parking agreement which was held by the Melbourne City Council. As we know under this bill the Melbourne City Council will be revoked as the committee of management of Yarra Park 12 months before its five-year agreement expires. I have had a look at this agreement. I note that paragraph D on the first page states:

For a number of years Yarra Park has been used for the parking of vehicles for patrons of the facilities at the Melbourne Cricket Ground and at the Melbourne Park and Olympic Park stadiums.

But it concerns me to note under the heading 'Definitions' on the next page that:

'Major event' means an event or events within the precinct involving the use of any of the venues —

and it refers to the Melbourne Cricket Ground and also the Melbourne and Olympic Park stadiums.

Paragraph 1(b) of that definition states:

in relation to the Melbourne and Olympic Park stadiums, such event or combination of events that involve an expected attendance at the event or combined expected attendance at the events exceeding 10 000 people (provided that the maximum number of vehicles to be parked in Yarra Park shall not exceed 750 vehicles except for the Australian Open tennis tournament ...).

When I look through this legislation I note there is no mention of that criterion being included. In other words, there are concerns out in the community that this is an open-ended agreement that could mean that for events held at the MCG or the Melbourne and Olympic Park stadiums car parking at Yarra Park could be used. According to the Melbourne Cricket Club, that is not its intention. One of the clauses — I will come to that a little bit later — states that it will not be doing that. But again we need to define it, and it does not define it to allay many people's concerns.

This bill will authorise the continuation of parking in Yarra Park. The current practice has been going on, I understand, since cars have been in existence. I understand also that parking on the Yarra Park land has been going on for about 80 years.

On 3 September this year a press release was issued relating to the Australian Football League under the heading 'Breakthrough delivers better deal for AFL fans and clubs'. It states:

Victorian football clubs and fans are the big winners in a breakthrough that will deliver bigger returns to clubs for AFL games played at the Melbourne Cricket Ground ...

I have to declare here that I am not a member of the Melbourne Cricket Club, but I am a member of the Essendon Football Club, which obviously plays some of its games at the MCG. The press release also states there will be a major refurbishment of the Great Southern Stand. It goes on to say the Victorian government will be committing \$6 million to a major \$22 million environment and water-saving project for Yarra Park in partnership with the Melbourne Cricket Club. It also states that the management of Yarra Park will be transferred to the MCG Trust. No doubt many football followers will be very happy that the MCG will be used for AFL grand finals until 2037. That is a good outcome for all Victorians. We want to see our games, and we want to make sure there are Victorian teams in the grand final — and I want one of those teams to be Essendon.

The media release also states that AFL clubs playing home games at the MCG will receive an additional \$4.6 million a year — or \$100 000 a game — for the next 10 years.

We know AFL football is now an Australia-wide sport. We have two teams in Perth, two teams in Adelaide, two proposed teams in Queensland and another two teams coming out of Sydney, so it is really a national game. But again I know many of the clubs in Victoria have been suffering because of financial concerns. This will give them some financial stability, which we hope will make them more competitive and also give the clubs the opportunity to be more involved with their communities, and we welcome that. I think it is important that with all the development of the grounds some sort of effort is put into looking after the smaller clubs and community sport in general. We welcome that. That is part of the investment that will be made. As I said, \$22 million will be invested in the park.

Importantly this development will now deliver a waste treatment plant that will produce about 130 megalitres of class A water — non-potable water — a year. It is my understanding that about 75 gigalitres of that will be allocated to the park and the rest will be used on the ground. One of the key reasons for this is that the Melbourne Cricket Ground Trust, the Melbourne Cricket Club and all the other users there are identified as among the top 100 users of potable water in Victoria, so they are trying to do their bit to get off the list. Importantly 75 megalitres will be used for the park. As we all know Yarra Park is not in good condition, mainly because of the drought — because of lack of water — so the upgrading of this park is a key priority to a lot of people.

I will go through some of the issues. The member for South-West Coast, who is also the shadow Minister for Racing, said it is interesting that the government has given \$6 million for this project. This was highlighted in the press release, which I will quote from again. It states that the agreement will result in:

The Victorian government committing \$6 million to a major \$22 million environmental and water saving project for Yarra Park in partnership with the Melbourne Cricket Club ...

Unfortunately in the middle of this year the federal government pulled out of an agreement that would have supplied \$5 million to the Flemington Racecourse. As we know, the Flemington Racecourse is still using potable water. If it is unable to secure long-term alternative water supplies, racing could be suspended at that historic racetrack. Time is running out for the Flemington Racecourse to find some other water supply. A couple of years ago the Howard government promised \$5 million to assist the Victoria Racing Club to develop and secure alternative water supplies either by tapping, treating and recycling water from a nearby sewer or building a localised desalination plant to utilise saline underground water. The Rudd government dropped that commitment, and it is my understanding that this government supported that happening. A group like the Victoria Racing Club could do a similar thing to what is being done by the Melbourne Cricket Club through the use of recycled water, in this case sewage water.

I will go through some of the major issues that have been raised in consultation with us so far. One is the Melbourne City Council agreement, and I have covered that. We have spoken to many groups who are concerned about the change to the criteria. The continuation of parking is a major concern to a lot of people. I have had good conversations with the minister and his advisers on many of these issues, but we have not resolved all of them.

I turn to the bill. I quote from the definitions on page 3:

major event means an event or events involving the use of the Melbourne Cricket Ground or facilities at Melbourne Park or Olympic Park ...

That does not quite bring it down.

Proposed section 9 of the Melbourne (Yarra Park) Land Act deals with car parking. For the first time the government has included car parking in a bill on Yarra Park. Proposed subsection 9(1)(a) refers to major events, and I have just defined that. Proposed subsection 9(2) states:

In making any decision to provide car parking for the purpose set out in subsection (1)(a), the Trust must have regard to —

- (a) the expected demand ... in Yarra Park Reserve for major events;
- (b) the extent and patterns of previous use of Yarra Park Reserve for car parking for major events ...

There are many other factors, including:

- (e) ... the effect the car parking will have on the condition of the trees in Yarra Park;
- ...
- (g) the protection of private or public property in Yarra Park Reserve;
- (h) the safety of pedestrians and car parking attendants in Yarra Park Reserve.

However, nowhere in the bill is there a limitation on an event, such as having no more than 10 000 people over the railway line. The reality is that it was an open-ended agreement. The Melbourne Cricket Club has said to me that its intention is to operate in a way similar to the way it has operated in the past, but it does not say that in the bill, and that is all we have to go on here today.

As I said, there will be an investment of \$22 million in the park. Everyone is very happy about that. The waste treatment plant will be placed underground, which is a common-sense decision. Concerns have been raised with us that this will be a construction site. Who will sign off on it? When I spoke to the minister's staff I asked who will give authority to use Yarra Park as a construction site, whether it be to build the treatment facility, a road or whatever it may be. The response I got from the minister's staff was:

DSE has advised that in general the land manager would give approval for use of reserved land after determining whether the proposed use would be detrimental to the purpose for which the land was reserved. This would be via some form of tenure — either lease or licence.

When I talked to the Melbourne Cricket Club I was told a contractor doing this work would have to have a bank agreement covering that amount of money, a bond or the like. It does not see any problem with making sure we have it stipulated that with any major construction site there is an adequate bond to cover the rehabilitation if the developer or contractor goes broke.

In my discussions with the East Melbourne residents association and others I was asked why the former police station land at the north-east corner is not included in the park. In the response I received from the government I was told the old police station is on Crown land vested in VicTrack, which might want to

make some other use of that land. I think that is reasonable.

Another question I asked was whether there were any plans for the construction of more sealed or gravel car parking on the site. The response I received was:

The bill states that parking for use of the MCG when events are not being held must be restricted to paved areas in the immediate vicinity of the MCG —

or Punt Road.

It goes on to say that his understanding is that there are no plans for additional areas of parking to be constructed, so most people will be happy about that.

As I said, other concerns have been raised with us. The point made by the Yarra Park Melbourne Residents Association is that the park is not a car park. It wants proper and improved transport connections and, importantly, a review of parking options. We wanted some information before the bill goes to the upper house, but it has not arrived. We also need to look at private and public access issues.

We met with members of the Yarra Park Association and with the Melbourne City Council, and I have spoken with people from the City of Yarra. The East Melbourne Group's response to me was that it believes the bill does some things that are welcome but it has concerns about parking. I do not have the time to go through them all, but the key point it makes is that the bill is flawed because it provides for parking in the area. The East Melbourne Group believes that is in conflict with the protection of the park and the community's needs. I will come back to that.

The Yarra Park Association is strongly against parking in Yarra Park. I will read from an email I received. It states that Yarra Park is:

... the home of the MCG and a central part of the sporting precinct — a great public space. Currently, this is prohibited by the use of the park for car parking on —

it says —

197 days a year, a statistic that will certainly rise next year with the opening of the rectangular stadium.

Parking is the concern that has been raised: that we will not have some control over it. The association talks about that in its presentation. The Yarra Park Association has major concerns, and I am sure the minister has seen them, including the concerns about new section 9 to be inserted into the Melbourne (Yarra Park) Land Act by clause 8 of the bill, the delusion of the definition of 'major event' and the lack of

commitment to retaining the 50-metre zone. My understanding is that that commitment was given, but this is one of the association's concerns. It is also concerned about an increase in use because of the rectangular stadium and that no other alternative uses beyond the new purpose-built car park have been evaluated.

Another concern raised by this group and others is advertising. People have raised with me that advertising is currently happening on Gosch's Paddock. The people around Yarra Park do not want to see a similar thing happen at their park with advertising billboards 24 hours a day, 365 days a year. Last week I was travelling into Sydney from the airport and the amount of advertising on Crown land along the road was obscene — it obliterated a good view of the city. People are concerned about this happening at Yarra Park.

The coalition has consulted widely. It even got a letter from the Right Honourable the Lord Mayor of Melbourne, which states:

I bring to your attention the resolution passed by the Melbourne City Council on 27 October 2009 ... which outlines council opposition to the move to remove control of Yarra Park from Melbourne City Council.

Council is concerned at the lack of consultation on the issue, especially in view of the worth of the community asset of which Melbourne City Council is joint custodian.

The Lord Mayor has spoken to me about it. He did not support that resolution, but the council's position is along those lines. I have received a letter from Alison Clarke, a City of Yarra councillor, who stated in her email:

Many of the residents of my ward use Yarra Park for recreation — dog walking, kicking the footy, throwing a frisbee, having a picnic et cetera — and are very concerned about the potential loss as public open space ...

She highlighted — and many other people have raised this with me — that the Commonwealth Games was a fantastic event held in Melbourne in 2006, but if you bought a ticket to go to any event, including those at the MCG, it entitled you to use public transport free of charge. That caused some concern because we in country areas did not have that opportunity, but to the credit of the government, after strong lobbying from The Nationals, it allowed people to come in from country Victoria and go to the Commonwealth Games at a cost of \$10 for a return ticket. These are the types of things that many people have raised with us. There is work going on, but the criticism about this coming from the many people who have spoken to me is that the government's supposed commitment to sustainable

transport has not been met by this legislation going through this house.

Overall we have met with and spoken to many people. They appreciate that the government is committed to substantial expenditure at the park, along with the Melbourne Cricket Ground Trust, but they have said to me that while the council has good intentions for the management of Yarra Park, it has not been able to deliver on them in the absence of adequate funding, and clearly that delivery will not be funded by the state government. The status quo is not realistic.

I come back to the decision made by our parties: we are not opposed to most of the things in this legislation, but we are concerned about four key things. They are the definition of 'major events' and how it will impact on car parking; the advertising and signage that could happen at the park if it is not stipulated in the bill that it will not happen — we do not want a repeat of what is happening in Gosch's Paddock and other areas around Victoria; the need to ensure that there will be a reinstatement of the area as a park, particularly after the construction of the underground wastewater treatment facility; and when there will be an independent review of parking around not only Yarra Park but also the MCG and, importantly, Melbourne.

The coalition will not oppose the bill, but it is keen to hear the minister's response to these issues. At this stage we are not opposing the bill, but we will look at the information provided to the upper house for improved environmental outcomes for the park. Yarra Park is in very poor condition at this stage: it does not have a good water supply, it does not have a good irrigation system and it does not have a good management plan. All of those things will be delivered under this legislation; we welcome that. More importantly we welcome a reliable water supply to look after the park. With those few words, the opposition at this stage is not opposing the bill.

Ms D'AMBROSIO (Mill Park) — I rise in support of the Melbourne Cricket Ground and Yarra Park Amendment Bill. I do so to express similar sentiments to those of the member for Lowan in terms of the wonderful heritage of the Yarra Park precinct, including the MCG itself.

The bill will serve the long-term sustainability of the Yarra Park area. It will vest the management of the Yarra Park reserve in the hands of the Melbourne Cricket Ground Trust and will, therefore, remove management of that area from the Melbourne City Council. In doing so it will ensure the survivability of the greenery around the MCG and that it will be

maintained for the broad use and benefit of the community.

The bill also preserves the parking spaces at Yarra Park for the purposes for which they have served now for many years. The MCG, Olympic Park and Melbourne Park precinct attracts major events throughout the calendar year. For that reason car parking is always a critical issue. That has put a great deal of pressure on the sustainability of the Yarra Park reserve trees and grasslands. Part of the shift in committee of management functions to the Melbourne Cricket Ground Trust will mean that the trust will be required to prepare a management improvement plan for Yarra Park. This plan will need to be approved by the Minister for Sport, Recreation and Youth Affairs and the Minister for Environment and Climate Change. The management improvement plan will need to include a strategy for the ongoing health and environmental sustainability of the park, as well of course for community access and general amenity. The current parking entitlements will be preserved for good economic reasons.

Importantly the money that will be raised by the trust from car parking must be reinvested in the management, maintenance and improvement of Yarra Park. This is a critical component of shifting the management arrangements to the Melbourne Cricket Ground Trust.

The bill will require the formation of a Yarra Park Advisory Committee, and that advisory committee will undertake, or be responsible for, community consultations in terms of the ongoing amenity and use of the open space of Yarra Park and discussions with the City of Melbourne.

The ongoing sustainability of the park is of paramount importance. A lot of concern has been expressed about the weathering, if you like, of the trees and greenery of Yarra Park. These things are always difficult to manage; we have events that are held and we do not want those events to be diminished or impacted on negatively in any way by reducing car parking space. It is very important for us that this debate be dealt with in a balanced way. We believe this bill provides the necessary balanced approach, which will not only maintain the car parking that is needed at Yarra Park but will also provide for the long-term sustainability of the grassed areas, trees and open parkland for the community. That is critically important.

The bill will add to the reserve open parkland by adding an unused road to the north of the park. It is important there is some growth of open space. The bill will also

serve to tidy up some longstanding anomalies in the boundaries of the park — for example, it will revoke the reserve over a section of Brunton Avenue and a narrow portion of land south of Brunton Avenue that is currently used by VicTrack. This is tidying up, which all good legislation should do, and which should not detract from the main aim of the bill.

Additional water will be applied to Yarra Park due to significant investment by the Melbourne Cricket Club. Again, this goes to the heart of the ongoing sustainability of the greenery and trees of Yarra Park. The MCC will, as part of this arrangement, be required to invest \$22 million, including \$16 million of its own funds and up to \$6 million provided by the state government. What will this money deliver? It will deliver certainty of non-potable water supply for the ongoing sustainability of the greenery of Yarra Park.

A wastewater treatment plant will be constructed. It will treat water from a nearby sewer and produce class A non-potable water for the watering of the trees and grass. This will save a tremendous amount of potable water that is currently being drawn on for the exact same purpose of watering the trees and grass. The bulk of the water treatment plant will be located below the surface of the ground, so it will not interrupt the broader general amenity of the park area in any significant way. It is hoped the water treatment plant will generate about 130 megalitres of class A non-potable water each year, 75 megalitres of which will go towards watering Yarra Park and 40 megalitres of which will be used by the MCG to reduce its consumption of potable water. It will in effect halve the MCG's reliance on potable water.

What does this mean in terms of Melbourne's broader water consumption? When we look at the resulting reduction in the use of potable water we see that it is a very sound investment. It will result in the MCG coming below City West Water's mandatory reporting threshold of 50 megalitres, which will mean that the MCG will be removed from the list of Melbourne's top 100 water users. That is a very big plus and a solid indication of the commitment of this government to ensuring that every part of Melbourne, from residential right through to business and the like takes responsibility for significant reductions in reliance on potable water.

The bill also ensures that we put the management of Yarra Park into the hands of the MCG, which basically is into the hands of the experts in turf management. The expertise within the MCG will apply to the ongoing sustainability management and environmental health of

Yarra Park. So that is a very important plus in this arrangement.

The bill represents a broader agreement struck between the government, the trust, the MCC and the AFL (Australian Football League) about the future of football in this state. The bill is very specific in terms of what it will deliver in the sustainability, viability and economics of car parking spaces in the Yarra Park area. It is linked to the ongoing survivability of green space and trees in the Yarra Park area, but it also represents a much broader agreement across the industry between some very critical bodies that manage sport and the precincts and venues that go with that.

Included in the broader agreement is the state government's commitment of \$30 million to redevelop the Great Southern Stand. The AFL has committed to hold the grand final at the MCG for a further five years beyond its current agreement, which will take us to 2037. This consolidates everybody's belief that the MCG is the home and will remain the home of the AFL for decades to come.

I am very pleased that this bill ensures the able management of Yarra Park for the foreseeable future, and I would certainly like to express my gratitude to the minister at the table, the Minister for Sport, Recreation and Youth Affairs, for his well-managed steering of this bill. It is certainly a very balanced bill which has received broad agreement; it will not only ensure economic viability for the precinct but also ensure that the sustainability, the greenery and the community amenity and use of the park will be preserved for many years to come.

Ms ASHER (Brighton) — I too wish to make a brief contribution to the Melbourne Cricket Ground and Yarra Park Amendment Bill 2009. As has been indicated by the member for Lowan, we do not oppose this particular bill. Let me also declare for the record that I am a member of the AFL (Australian Football League), I have an Essendon club support package and I have been a member of the Essendon Football Club since 1969. Let me declare those interests before I address my comments on the bill.

As previous speakers have indicated, the bill expands the Yarra Park reserve, and the government claims this will assist in its many functions. Obviously one of its functions is recreation. Another function is to provide parking at the MCG, and I am completely aware that there is some opposition to that, but that is not my perspective. The bill flags possible further use of Yarra Park for parking, particularly for the rectangular stadium now being constructed.

The bill also makes a number of changes to the management structure. It removes the committee of management from the City of Melbourne to the Melbourne Cricket Ground Trust, and the trust will be required to draw up a management and improvement plan for Yarra Park. One factor, as part of what is called the management and improvement plan — and the factor I will touch on briefly given my area of policy interest — is the management of major events.

We on this side of the house have supported major events as a strategy for tourism for Victoria for many years. That has not always been the position of the Labor Party. By way of example, I recall the current Attorney-General calling the previous government's major events strategy a bread-and-circuses strategy, but we have always argued the case that because, for example, we do not have the Sydney Opera House or the Great Barrier Reef, in order to attract visitation to Melbourne we need a combination of marketing Melbourne's strong points, such as retail, and embarking on a major events strategy.

It is important that the Labor Party has adopted that previous strategy, and I am pleased that the government continues to endorse that, and has certainly endorsed that in the bill before the house and the requirements of the bill on the committee of management for Yarra Park.

The bill also establishes a Yarra Park Advisory Committee of up to seven people appointed by the Minister for Sport, Recreation and Youth Affairs. There will be a City of Melbourne representative, a Melbourne Cricket Club (MCC) representative and at least two representatives of people who have an interest in public parks. They are important appointments.

The second-reading speech makes significant reference to water. I will comment about this from another perspective. Everyone is in agreement that it is a good thing there will be a supply of water to look after Yarra Park — the trees, the grass, the lot — but I make the point that if the government had put an adequate water supply in place the cost of this water supply might not have been \$22 million.

Let us look at who is footing the bill for this. The MCC is paying \$16 million and the state government — the taxpayer — is paying another \$6 million. It has been my contention from day one that had the government done its job — and do not forget that in 2002 the former Premier Steve Bracks said water was the no. 1 issue — there may well have been a supply solution which would have involved an irrigation system and not a \$22 million investment to do something that has

an excellent outcome but which, in my opinion, the government has gone about in the wrong way.

The government has now embarked on the establishment of a wastewater treatment plant where sewage will be treated to class A level and again, the second-reading speech makes much of the fact that it is estimated 75 megalitres will be used for watering and possibly another 40 megalitres for use within the Melbourne Cricket Ground.

I cannot waste the opportunity to make the point that the government is very happy for the Melbourne Cricket Club to invest \$16 million in this water treatment program, but when the government had its own opportunity, for example on two of its major projects, Federation Square and Southern Cross station, it did not introduce water-saving measures to enable these large structures to become self-sufficient. In the case of Federation Square, the government took the water tanks out of the design to save \$350 000, then had them retrofitted; and in the case of Southern Cross station there were no tanks in the first instance and the government retrofitted a couple of smaller tanks. I am conscious of the fact that there are other examples and I am sure they will be taken up by other speakers on this side of the house.

The second-reading speech makes reference to the MCG as an outstanding example of recycling and responsible use of water, and that is in regard to the wastewater treatment plant that is going to be established to water Yarra Park trees. The problem for the government is that it is possibly the worst example of a body that has not done the right thing in terms of water recycling. In 2002 the government announced that it would upgrade the eastern treatment plant. That project has still not been completed, and even on the government's own timetable it will not be completed until 2012. I make the point that it is all very well for the government to pat the MCC on the back for its expenditure of \$16 million, but the government's performance on water recycling is one of the worst examples of water recycling that one could ever instance.

As other speakers have indicated, this bill is part of a broad agreement to support Australian Football League football. There will be increased money to AFL clubs playing home matches at the MCG. The estimate the government gives is perhaps \$100 000 a game, and basically for the clubs that have larger crowds, we will see a greater return to those clubs, and I support that very strongly — probably linked to my declaration at the beginning of my speech.

The government has also indicated that it wants improved facilities at the Great Southern Stand, and has allocated \$30 million for this. I look forward to the details being forthcoming, because the MCG is not just for AFL football: it is and has for a long time been a critical piece of infrastructure for a range of major events that have an economic boost impact for Victoria and are part of the major events strategy that I outlined before and that the previous government supported particularly strongly.

The agreement also has the grand final being played at the MCG until 2037. For those of us who were born and bred in Melbourne and who love that place, I think that is a very good thing.

The most contentious aspect of the bill concerns car parking at Yarra Park. I am obviously aware of a range of views on this issue; however, the space is needed for parking. It is very clear that a significant number of people need those parking spots. People are not all city residents with access to public transport, such as the people in my electorate. That park has been used for car parking for 80 years. I note in the Melbourne Cricket Club's fact sheet entitled 'Yarra Park to be improved' the following issues are addressed, which I think will be worthwhile improvements. Point 3 states:

The draft master plan will see the addition of new avenues of trees, selected tree planting, mulching on avenues, significant tree protection measures introduced, lawn upgrades, improvements to the playground, additional garden beds established, new pedestrian paths, additional park benches and tables, and the establishment of a gravel car park area for 150 vehicles.

The shadow minister made the point about restitution — for example, the water treatment plant works. There is even to be restitution after significant major events of the type that is effected in the Carlton Gardens. I think those are important points for those community groups that are interested in that. However, I agree with point 19 of the fact sheet which states:

The retention of car parking in Yarra Park is critical to the viability of the whole sporting precinct.

This is an attempt to balance the interests of those who want the park for recreation and those who need access to the park for the government's major events strategy and for access to the MCG.

Mr BROOKS (Bundoora) — It is a pleasure to rise and make a brief contribution on the Melbourne Cricket Ground and Yarra Park Amendment Bill. This bill amends the Melbourne (Yarra Park) Land Act 1980, the Melbourne Cricket Ground Act 2009 and schedule 1 of the Conservation, Forests and Lands Act 1987. As the

Minister for Sport, Recreation and Youth Affairs noted in his second-reading speech, Yarra Park has been used for car parking in some form for over 80 years. A recent survey by the Melbourne Cricket Club found that around three-quarters of people who parked at Yarra Park for AFL matches had travelled more than 20 kilometres to get there, and just under half of those people had travelled over 40 kilometres. Parking at Yarra Park is obviously important for people from the outer suburbs and from rural and regional areas who are wanting to attend AFL matches, and presumably other sporting events, at the MCG.

The bill shifts the management of the Yarra Park reserve from the City of Melbourne to the Melbourne Cricket Ground Trust and secures the use of Yarra Park for car parking into the future. While ensuring continued use of the park for car parking, the bill also enables a number of other important improvements to the park. Firstly, new sections 14, 15, 16 and 17 to be inserted into the Melbourne (Yarra Park) Land Act by clause 8 of the bill formalise and clarify land title and boundary issues, the most notable of those being a large parcel of land currently used as parkland running adjacent to the rail line at the northern edge of the park, which is actually an unused road. This land will be formalised as part of Yarra Park.

Secondly, clause 8 of the bill inserts a new section into the Melbourne (Yarra Park) Land Act 1980 setting out the requirement for the MCG Trust to prepare a management and improvement plan each year for approval by the minister. The bill sets out some of the things the plan must address, including ways to improve the long-term health of the park and its trees. Money received by the trust in relation to Yarra Park must not be spent for any purpose other than the operation, management, maintenance and improvement of Yarra Park. It is worth noting that under the existing management arrangements with the City of Melbourne there is no such requirement for the council to invest all of the funds raised from car parking back into the park.

Thirdly, the bill establishes a Yarra Park Advisory Committee to facilitate consultation and engagement with the City of Melbourne and the community on the management, operation and improvement of Yarra Park. This will include a representative from the City of Melbourne and two other persons nominated by the council who can make a contribution based on a range of criteria, including a good knowledge of the issues around the use of public parks and an understanding of local community needs.

As highlighted in the minister's second-reading speech, the changes in the management of the Yarra Park area

will be accompanied by a substantial investment in the park precinct — approximately \$22 million from the Melbourne Cricket Club (MCC) and up to \$6 million from the Brumby Labor government. The major part of this investment will be the development of a predominantly below ground, wastewater treatment plant that will transform wastewater from the surrounding area and produce class A recycled water for use on Yarra Park and at the MCG itself. The plant should be able to recycle around 130 megalitres of water each year, with 75 megalitres being used at Yarra Park and approximately 40 megalitres available for the MCG, which should halve the MCG's use of fresh drinking water.

This bill is part of a broader agreement reached between the Australian Football League, the MCG Trust, the MCC and the Brumby government that will see not only improvements to Yarra Park but also to the Great Southern Stand at the MCG and additional funds flowing to Victorian AFL clubs playing home games at the MCG. The Brumby Labor government has announced \$30 million towards the upgrade of the Great Southern Stand, further demonstrating a commitment to the future of the MCG. One of the great features, in my view, of the new northern stand at the MCG is the access provided for people with disabilities. I am sure that in the upgrade of the southern stand there will be a careful consideration of the needs of those Victorians who have a disability.

In conclusion, this bill is about further improvements to the MCG and its surrounds. It builds upon the great facility that the MCG already is. The MCG is a Melbourne icon and truly the people's ground, from the first test played there in 1877, with Australia naturally beating England, to Shane Warne's 700th wicket in 2006 Boxing Day test and of course the energy and excitement of 150 years of Australian football, including the undisputed highlight which was the 1990 grand final. The MCG was the centrepiece of the 1956 Melbourne Olympics, which became known as the 'friendly games' and the more recent 2006 Commonwealth Games.

It was at the Commonwealth Games that a former member of this place reminded me, with some pride, that the entire MCG, both the southern and the newer northern stands, had been delivered under Victorian Labor governments. This bill continues the traditional support that Victorian Labor governments have shown for the people's ground. It will improve the condition of Yarra Park and secure ongoing car parking for sporting and other events. I commend the bill to the house.

Dr NAPHTHINE (South-West Coast) — I rise to speak on the Melbourne Cricket Ground and Yarra Park Amendment Bill. The main purpose of the bill is to transfer responsibility for management of Yarra Park from the City of Melbourne to the Melbourne Cricket Ground Trust, a move that is supported by me and by the opposition, because it is important that Yarra Park is managed in conjunction with the management of the MCG so that the park can be used for car parking to support the major events at the MCG, and that the great sporting complex continues to grow and develop in that region. The park should be managed so there is a proper balance between the need for car parking for sporting events and other major events in that area and the use by the citizens of Victoria, particularly local residents.

As people would know, the MCG is an iconic sporting venue. It is the home of the AFL (Australian Football League) Grand Final, and this legislation extends the guarantee that the AFL Grand Final will be played at the MCG until 2037. The MCG is the home of the iconic Boxing Day test, the Anzac Day match and many other major sporting events. We must pay tribute to and thank our forefathers who provided this great sporting arena so close to this magnificent city of Melbourne. The MCG is now part of a sporting complex that is the envy of the world, having many other facilities in the vicinity.

I must make some passing comments about issues of recent times regarding the proposal to use the MCG for Australia's bid for the World Cup in 2018 or 2022. Let me make my views very clear. While I am very supportive of Australia bidding for the World Cup, I believe it should not be done at the expense of our traditional AFL football season. We must work in harmony with the authorities who are bidding for the World Cup and the AFL to ensure that if Australia is successful — and we all hope it will be — in obtaining the World Cup for Australia, the venues and opportunities will be there for the continuation of the AFL season. That will mean an ongoing commitment to AFL football and the broadcasting rights and support for AFL club supporters, because the AFL is fundamentally the most significant sporting activity within Victoria and across Australia.

I want to make specific mention of some water issues that are raised by this legislation. I refer to the second-reading speech, which mentions a \$22 million commitment in terms of water infrastructure — \$16 million from the Melbourne Cricket Club and \$6 million from the state government. The second-reading speech says:

The centrepiece of this program of investment will be a wastewater treatment plant that will treat waste from a nearby sewer and produce class A water suitable for watering turf and trees. In addition to assisting Yarra Park, this will enable the MCG to save large volumes of potable water.

Of the 130 megalitres of class A non-potable water produced by this plant, it is expected that 75 megalitres will be used in Yarra Park and 40 megalitres will be provided to the MCG to assist in its operations, but there may also be some water available for Punt Road Oval, which is nearby, and we all support that. It is with a sense of irony that I read that in the second-reading speech, because only a couple of years ago an issue arose about another iconic major sporting venue in Victoria — the wonderful racecourse at Flemington. On 30 October 2007 the then federal Minister for Agriculture, the Honourable Peter McGauran, put out a press release headed '\$5 million to Maintain Flemington Racecourse', which states:

Australia's heritage-listed Flemington Racecourse has received a \$5 million grant from the Australian government which will see the renowned rose gardens and racetrack watered using recycled water.

The press release further states:

... the grant would reduce Flemington's use of drinking water by about 350 megalitres a year — equal to the needs of around 1700 Melbourne households.

In the press release Mr McGauran also said:

The \$5 million funding will allow the club to either mine water from a nearby sewerage system or desalinate water from aquifers beneath the course ...

It was a great initiative of the previous Howard coalition government to provide \$5 million to the Victorian Racing Club to assist it, with some of the club's own funding, with similar projects to the one we are talking about at the MCG and Yarra Park. However, upon the election of the Rudd Labor government one of the first decisions made by that government — by the Honourable Lindsay Tanner, the Minister for Finance and the member for Melbourne in the House of Representatives — withdrew that funding, so our iconic Flemington Racecourse was deprived of the opportunity to be involved in water-saving projects that are being proposed for the MCG. The Labor Party at the federal level took that funding away.

Mr Merlino — On the bill!

Dr NAPHTHINE — It is on the bill. I am contrasting the way in which the Labor Party is providing money for what is a very good water-recycling project at the MCG and Yarra Park, which I support, with what Labor has done at the federal level. I find it ironic that

the same Labor Party withdrew funding that would have delivered a similar project with own greater water savings for Flemington Racecourse. Lindsay Tanner — the federal Minister for Finance and Deregulation and member for Melbourne — in a letter to me wrote:

Thank you for your letter ... in relation to my announcement that the Australian government would not be proceeding with funding of \$5 million for the Flemington Racecourse water strategy.

Those words confirm that the federal government will not give the money.

A letter to me from the Victorian Minister for Water of 31 December states:

In 2007–08 the VRC's potable water usage was 321 million litres.

The letter further says:

City West Water has provided the VRC with an exemption from stage 3A water restrictions for the racing track at Flemington, as it is classified as a sports field for an international event.

I understand that it is, but what should be happening is that, as well as supporting recycling opportunities and sewer-mining opportunities at the MCG and Yarra Park, the Labor governments — federal and state — should be getting behind the coalition's policy and the coalition's initiative of 2007 and funding similar programs at VRC Flemington that would save many more millions of litres of water and fundamentally allow us to maintain the iconic Flemington racetrack using recycled water. There is a delicious irony going on. The Labor Party is involved in a very good recycling project at Yarra Park and the MCG, but the same party has failed to deliver a similar project, which was called for and funded by the previous coalition at Flemington.

The Labor Party has also failed to deliver in terms of recycled water at Gunnamatta and Werribee. It is an absolute tragedy and to the shame of this government that has now been in office for 10 years that so much water is pumped out to sea at Gunnamatta and Werribee that could be treated and recycled — treated to class A standard — and used in industry, on our sporting fields and in the vegetable-growing industry in Werribee and Cranbourne and down along the Mornington Peninsula. Enormous opportunities have gone to waste because this government has failed to take opportunities to recycle water.

There is another issue I wish to raise, and I hope the minister has his pen out to take some notes. It is that he advise the house what source of energy will be used for

this plant at the MCG at Yarra Park in terms of the water recycling. What is the level of energy usage that will be used by the recycling plant, and where will this energy come from? It is important we know that if we are to do a comprehensive assessment of its value in terms of environmental benefits. We need to understand the energy cost and benefits of that project as well.

In conclusion, I and we on this side of the house support the continued growth and development of the MCG and Yarra Park. We support the concept of having a significant water recycling plant and sewer-mining operation there. We urge the government to work with the VRC at Flemington to undertake a project there similar to the one that was originally outlined by the Howard coalition government. Funding was provided, but it was withdrawn by the Rudd Labor government. Our Minister for Water and the Brumby Labor government have failed in the opportunity to use recycled water to a large extent at VRC Flemington, another iconic sporting venue in this state.

Ms RICHARDSON (Northcote) — It gives me great pleasure to speak briefly in support of the Melbourne Cricket Ground and Yarra Park Amendment Bill. This bill amends the Melbourne (Yarra Park) Land Act, the Melbourne Cricket Ground Act 2009 and the Conservation, Forests and Lands Act. The bill will appoint the Melbourne Cricket Ground Trust as the new committee of management for Yarra Park to replace Melbourne City Council. This will ensure that all the money that is raised from parking at Yarra Park for events at the MCG and Melbourne and Olympic parks goes directly back into the maintenance of the park. In the past funds raised through parking have gone into consolidated revenue for the City of Melbourne and not directly back into the park. I see this as a key benefit of the bill.

In addition \$22 million from the Labor government and the Melbourne Cricket Club will be spent directly on the park. This will deliver a new wastewater treatment plant to produce class A water suitable for park use. The park and the trees in particular are stressed at present because of the drought and this treatment facility will not only ensure that the park is no longer in the top 100 water users but also ensure the long-term sustainability of Yarra Park.

This bill adds parcels of land to Yarra Park and establishes a Yarra Park Advisory Committee to manage and improve the park. I well understand the argument that has been put about keeping cars out of the park forever. Cars have been parking in Yarra Park for 80 years but in my view this argument has some serious flaws contained within it. The proponents for no

cars in the park have no plan, for example, to deliver investment back into the park, so there will be no water treatment facility should we simply go ahead and remove cars from Yarra Park, and there is no plan to manage the cars that come into the precinct for major events.

The government did look at underground parking as one of the options but the \$700 million cost of such an option was clearly prohibitive. Parking in neighbouring streets and in the local neighbourhood would be the only option for users of this precinct. When we talk about parks being just there for kids, I agree, but taking cars out of Yarra Park will surely send them directly on to neighbouring streets where kids live and play.

Members should bear in mind that 76 per cent of the patrons of the MCG travel more than 20 kilometres to attend events at the precinct, and 40 per cent travel greater than 40 kilometres. These cars will clog the local streets and create an unsafe environment for kids who live, walk and play in these neighbourhoods, so the no cars in Yarra Park plan is no plan at all. It is not a safe plan and it is not an alternative to what is being suggested as part of this bill, and nor does it consider the fact that we need policies. We need to be sensible in respect of putting forward policies that are about delivering for all Victorians and for all Melburnians, not just those who live in the inner city or are neighbours of this park.

I live in the inner city. It is easy for me, for example, to jump on a train or a tram to get to the MCG. In fact I have done so to attend events there. But with my two small children I have attended a Wiggles event there where I parked at Yarra Park. I had a couple of prams to manage and a grandmother and the like and I decided that day that I would use the facility of Yarra Park as opposed to jumping on the train or tram and dealing with my kids that way.

In conclusion I support the bill. We need policies that work for our parks for the benefit of all Victorians and, in particular, we need this bill that will deliver significant benefits to Yarra Park. I commend the bill to the house.

Mr THOMPSON (Sandringham) — Yarra Park, the Punt Road Oval and the Melbourne Cricket Ground represent one of the great sporting precincts not only of Victoria and Australia but also of the world. The bill before the house endeavours to address some of the continuing issues and concerns in relation to the park area, including the maintenance and support of the trees and the grasslands, the provision of a water system that will store water through both sewer mining and other

means for use in the region, and also to make provision for car parking in the medium term to address the parking needs not only of the MCG itself but also of some of the surrounding sports stadiums.

The opposition has received representations from a number of concerned stakeholders: from the residents associations in the immediate adjacent area that are very keen to see the character of the park developed so that it is not used necessarily for parking 170 days a year; from a number of interest groups associated more particularly with the Melbourne Cricket Ground trust which sees an ongoing role for car parking in the precinct; and also from members of the public who have an interest in maintaining the tradition of using the area for car parking to access sporting events.

At a comparable time of the year people travel to that particular sporting precinct and etched in the minds of Victorians for many decades would be the great moments in sport at the MCG from the Olympic Games in 1956 through to the Commonwealth Games 50 years later in 2006 and to a range of concerts, events and sporting occasions. There has also been the development of Melbourne Park as a great tennis precinct, where one of the great tennis tournaments of the world is held in January each year, and the other sporting parks in the immediate area which are well served by parking access.

It would be appropriate to declare a couple of personal interests. I am not a current member of the MCC but I did spend four years of my life in the immediate area on the Punt Road Oval where I would have been attending training on or around it three days a week over that four-year period. It is a great area. Having had the use of the park as parkland and as a training precinct, I think I understand the aspirations and vision of those residents who live around the park. I would urge the trust to consider what can be done to strengthen and develop the parkland character of it for those people who are using the precinct and particularly the prospect of there being more underground parking. When the MCG was redeveloped the parking capacity underneath the ground itself was significantly enlarged and a 50-year plan may map out certain areas which would lend themselves to car parking.

The cost of \$700 million was mentioned earlier as being the cost of such a development. If there had not been a cost overrun just in myki alone, that car parking could have been provided at the MCG. Furthermore there are a range of other cost overruns in government service delivery, particularly in information technology where, if there were not those cost overruns totalling approximately \$2 billion, that funding would have been

there on the ground and available to deliver a good outcome.

Since the ground has been used more intensively there has been a removal of the use of the ground by spectators after a game — young children participating in kick to kick — and at other times of the year after other events as well where there was just such an informal opportunity. Even outside the ground in more recent times limitations have been imposed on walkways concerning the activities of young children after a game. Again a visionary plan for the ground may provide some netted areas to protect the public but allow the Little League age group to be able to play football after a game, to kick the Sherrin around without it necessarily landing on the head of other patrons at the ground.

As I said, the opposition has had a number of concerns drawn to its attention and one has been from the Yarra Park Association. Initially I felt that if you bought a place approximate to a sporting precinct you took what went with it and that was the car parking. But upon more measured and considered reflection I think the objective for this precinct, with population growth heading towards 5 million for Melbourne, is to preserve the green lungs and the open spaces of the area to a much greater degree. Other concerns have been about the current condition of Yarra Park because of the lack of water and there being no viable irrigation system.

I trust the investment by the MCC of \$22 million in the park, including \$16 million of its own funds and up to \$6 million provided by the state government, will improve the amenity together with the development of management plans for the area and with being regularly reviewed. I think it is important there be an advisory committee that is part of this process. That committee input will be helpful.

In strategic terms, and by way of summary, I will say that firstly, there should be a long-term aim of trying to find a better way to manage car parking. The suggestions of using public transport will not be necessarily sustainable as a result of the difficulty regarding myki cards. You cannot queue up for 5 seconds waiting at the turnstile when there are 99 000 people ahead of you. You would be there for the game the following week and would end up only seeing a replay of the grand final! It needs to be effectively managed.

In 1956 a young Ron Clarke carried the Olympic torch into the MCG. Unfortunately he did not have a ticket to watch the proceedings on that day or subsequent days. Having lit the flame, he had to catch public transport to

go to his uncle's house in Balwyn. Ron Clarke was Australia's greatest ever distance runner, setting approximately 30 distance records; at one stage he held every running record for races between 2 to 10 miles.

In 1964 he was in the Olympic 10-mile event in Tokyo. He was expected to win, and it was a mighty race. But there was an American Sioux Indian, by the name of Billy Mills, who ended up winning that particular race. Clarke said he ran his fastest time; he set an improved time by some 50 seconds, but it was a mighty run. If you Google 'Billy Mills' and watch his Tokyo Olympic finish, you will see a mighty result.

The point that is relevant in tying my comments back to the bill is that Billy Mills beat Ron Clarke, who was a legend in Melbourne both at the Melbourne Cricket Ground and the nearby Olympic Park, where in 1965 he set the world record for the 10-mile event. With the forbearance of the Acting Speaker, I will quote this comment in relation to Ron Clarke. It was said in a book on athletics, when Mills was a young New York kid, regarding the Tokyo 10 000-metre event:

The Australian guy's name is Clarke; the announcer just said it, and I'll remember it 'cause he looks like Clark Kent half changed in Superman. He looks like he eats barbed wire for lunch. He keeps trying to run away from our guy, but Billy always catches up with him. Even I know why, from junior varsity wrestling: Billy's got nothing to lose. Clarke has everything to lose.

Unfortunately Ron Clarke did not win the 10 000-metre event at Tokyo. One of the world's greatest distance runners, Emil Zátopek, who won four Olympic gold medals, on one occasion passed on his gold medal to Ron Clarke in recognition of their mutual respect and Zátopek's regard for Clarke's achievements as one of the world's greatest ever distance runners.

It was immortalised in the precinct of Yarra Park, which Ron Clarke ran around on many occasions; it was immortalised in the wider sporting precinct of the botanic gardens track and on the other side of the Yarra River which formed the basis of many of Clarke's runs. Etched in the memories of many people, these particular events are a sporting high point.

It is with those thoughts in mind that people make their regular pilgrimage to the MCG by car and train. I trust that in the days ahead we will have an efficient public transport system with a good ticketing system that will enable people to get there and get them into the ground. Furthermore, Melbourne can celebrate the precinct as a parkland, in the full meaning of 'parkland', with improved underground parking in the decades ahead.

Ms GRALEY (Narre Warren South) — It is a pleasure to be able to speak briefly on the Melbourne Cricket Ground and Yarra Park Amendment Bill 2009. This bill amends the Melbourne (Yarra Park) Land Act 1980, the Melbourne Cricket Ground Act 2009 and schedule 1 of the Conservation, Forests and Lands Act 1987. It also revokes the appointment of Melbourne City Council as committee of management for Yarra Park reserve and appoints the Melbourne Cricket Ground Trust as the committee of management.

As other speakers have said, all Melburnians just love the MCG. I think it is the heart of Melbourne, so it is very important that all Melburnians, whether they come to the park for pleasure — to have a picnic, to walk through the park, to go to an event or to barrack for their favourite football team — have adequate access to the ground and that the ground preserves its quality and amenity now and for future generations. We are doing that with this bill.

As members of the house are aware, I am red, white and blue through and through, but I am also just an avid fan of the great Australian game. I am very pleased there are really great benefits to our indigenous game in this bill. I would just like to mention a few of them, including the decision to appoint the trust as the committee of management for Yarra Park as part of an agreement between the government, the trust, the MCC (Melbourne Cricket Club) and the Australian Football League. As a part of this agreement, the AFL has committed to hold the AFL Grand Final at the MCG for a further five years, until 2037. That is a great outcome for the people of Melbourne and Australia.

There is nothing I understand better than attending the MCG on grand final day. I am waiting for the time to come for my dear doggies — they have not been there for over 50 years. Maybe this year I will get to attend the MCG on grand final day and maybe many times in the future, as my club seems to be building a sustainability plan for future years of improvement and excellence on the football field.

The AFL clubs playing home games at the MCG will receive at least an additional \$4.6 million a year or \$100 000 a game for the next 10 years from revenues of matches played at the MCG. We all know how important revenue is to not only maintaining our AFL clubs but for extending the reach of the game to all parts of Australia and the world. Clubs will also receive additional revenue for attracting larger aggregate crowds, and that is a good thing too.

This additional revenue will allow Victorian-based AFL clubs to invest in football departments and

facilities, expand their community activities and help secure their financial futures.

There will also be a substantial improvement in the facilities for all patrons in the Great Southern Stand, including the AFL members reserve. I know that some AFL members have been wanting improvements for some time now, especially in light of the great facilities now available to MCC members. I am sure they will applaud the details in the agreement between the AFL, the MCC, the trust and the government.

The government has committed up to \$30 million for this redevelopment. The scope of the works is yet to be finalised but may include a more streamlined ticketing area; upgrades to food and beverage areas and basement-level food courts; replacement and upgrades to seating, public concourses and amenities; and the refurbishment of function and dining rooms.

As has been said, the Melbourne Cricket Ground is indeed the people's ground, and so anything we can invest is really worthwhile because this is somewhere the people of Victoria not only enjoy going to but treasure as part of the folklore of Victoria and its sporting history.

I am proud to be part of the Brumby Labor government. Indeed many Labor governments have invested considerable sums of money in making sure that Victoria remains the sporting capital of not only Australia but the world. You can walk down to Yarra Park, walk around that sporting precinct, see the MCG all lit up and then go over to Rod Laver Arena. I have been with the Minister for Sport, Recreation and Youth Affairs, who is in the house, to the new rectangular stadium. I must admit that every time I come off the Monash Freeway and I see another part going into that amazing-looking stadium I am very proud to be part of a Labor government that invests in sport and in people's sporting stadiums. Victorians will not only love going to their new rectangular stadium but will really appreciate this government's investment in improved facilities at the MCG.

I would like to finish by saying that this bill facilitates important environmental strengths for the park which are about developing wastewater treatment. If you walk through the park on a weekend on your way down to shop on Bridge Road or to do something like that, you see that the trees in the park are really very beautiful and deserve to be looked after. By committing substantial funds to a wastewater treatment plant and sustainable composting and gardening techniques we can ensure that the MCG and the park are places where people will love to go.

I am very pleased to be able to support this bill and proud to be a member of a government that supports community sport and also supports Melbourne, as the sporting capital of the world. Without further ado, I wish the bill a speedy passage through the house. I cannot wait to see my Dogs run onto the MCG in September.

Mr NORTHE (Morwell) — It gives me pleasure to make a contribution to the Melbourne Cricket Ground and Yarra Park Amendment Bill 2009. The purpose of this bill is to transfer committee of management responsibility for Yarra Park from the City of Melbourne to the Melbourne Cricket Ground Trust. The main provisions of the bill include redefining the boundaries of Yarra Park reserve to increase the amount of open space by including an unused road reservation to the north side of Yarra Park — which is a good thing — and to exclude some parts of the park in Brunton Avenue.

The bill provides for the trust to be the committee of management for Yarra Park reserve, revoking the appointment of the City of Melbourne as the committee of management. It also expands the functions of the trust, which must develop a management and improvement plan for Yarra Park each year and submit a plan to the Minister for Sport, Recreation and Youth Affairs and to the Minister for Environment and Climate Change for approval. The plan will be required to include a statement of intent and to address a range of strategies to support not only major events but also community access to the park for community purposes and otherwise. The bill establishes Yarra Park Advisory Committee to advise the trust on the operation, management and improvement of Yarra Park.

There is no dispute that the MCG and Olympic Park precinct is world class. This is verified by the number of major events that are held at these venues and by the number of people who attend such events. However, this legislation raises many concerns and issues, particularly for residents living in close proximity to the MCG and Yarra Park, as well as, may I say, for Melbourne City Council. Much of the consternation I refer to is about car parking in the Yarra Park reserve, and many issues have been raised by other members and by the community. One of those is the Melbourne City Council being replaced as the committee of management 12 months early in its five-year term. The second is the community use of Yarra Park itself.

From a regional perspective, when attending events in the MCG precinct, many commuters, including those living in regional areas, have utilised Yarra Park for car parking purposes. From this perspective it has served

many regional communities very well. By the same token, from the considerable feedback the coalition has received, it is the view of many within the community that the government has been somewhat lax in identifying alternative car parking options in and around the Melbourne precinct and, in identifying initiatives or incentives that would minimise or reduce car parking in and around Yarra Park. That is referred to somewhat in the second-reading speech, where some of the minister's comments contradict those of community members.

I refer to the second-reading speech which states:

The ability to provide parking in Yarra Park is important to the continued viability of the MCG and Melbourne and Olympic Parks and the outstanding events that are held there. This will continue to be the case as the Melbourne rectangular pitch stadium is opened next year and with the proposed redevelopment of Melbourne Park in the future.

A range of other options for parking near the sporting precinct have been explored but there are no viable options to provide the volume of parking that is required.

That particular point has been a bone of contention for many community members in and around the MCG and East Melbourne area who would say that the government has not done enough in regard to investigating or exploring car parking options for major events at the MCG and surrounds.

The second-reading speech goes on to say:

It is true that Yarra Park faces significant challenges. Like many other parks, Yarra Park has suffered from the drought. Many of its magnificent trees and lawns have experienced significant distress.

At least the minister and the government have recognised that Yarra Park needs work and that the health and surrounds of Yarra Park are important to all Victorians who visit it. It is pleasing to some degree to see that a wastewater treatment plant to help the health of Yarra Park is being proposed. The plant would treat waste from the nearby sewer to produce class A water suitable to water the turf and trees.

The member for South-West Coast mentioned the Flemington Racecourse having earlier been touted as having had arrangements made for it for that function. I believe he is right in saying that it is contradictory that on the one hand the government is now coming around and supporting the MCG while on the other hand it has neglected Flemington Racecourse. In my own region the Gippsland Water Factory, which treats and reuses local wastewater, has not been afforded the government support it should have had. Nonetheless, this particular wastewater treatment plant, to which the government

will be committing \$6 million and the MCC will be committing \$16 million, is a good and important initiative to assist with the health of Yarra Park.

But in part this appears to be something of a contradiction because on the one hand we will be recycling and reusing wastewater to protect the parkland but on the other hand we will be allowing cars to park on the same areas for major events and possibly all year round. That is a source of some consternation for those who have expressed their views on this.

Further, the establishment of the Yarra Park Advisory Committee is a sensible approach, and many people agree this is a step in the right direction. The committee will comprise up to seven members appointed by the minister; a member of the trust, who will be the chairperson; a representative of the Melbourne Cricket Club; a person nominated by the Melbourne City Council to represent the council; and up to two persons nominated by the council in consultation with the minister, persons the council consider to have a number of attributes. That is a positive step in the right direction.

As I mentioned earlier, a strip to the north of Yarra Park, from the railway line to Queens Walk, will be included in the park. I know local residents and those who frequent the area are pleased with that notion. I also mentioned the fact that parts of Brunton Avenue will be excluded from the park.

In his fantastic contribution the member for Lowan mentioned the fact that during the Commonwealth Games in 2006 we had the idea of reducing public transport fees as an incentive for people to travel to major events, which was particularly good for regional commuters. That initiative reduced car parking in and around the CBD (central business district). The government should look at adopting those types of initiatives to ensure that we not only maintain the health of Yarra Park but also improve our environmental performance by making sure we get cars off the road at every opportunity, whether it be through park-and-ride facilities or whether we look at what other jurisdictions are doing.

I believe the Western Australian Cricket Association has initiatives and incentives whereby parking is precluded in and around major venues, as is the case in Queensland when events are held at the Gabba. We could look at that here in Melbourne to ensure that we promote the fact that we want people on public transport. We have seen a significant increase in public transport patronage over the last few years, particularly in regional areas, and we should be encouraging more

public transport use and looking at those types of incentives, particularly taking the cost into account.

Again, I call on the minister in his summing up to provide some information on what the government has done to look at other car parking options within and around the Melbourne CBD and what opportunities might be available there. That is in the best interests of not only Yarra Park but also the general public, who will frequent these events in the future.

In summing up, the MCG and its surrounds are a fantastic asset to Melbourne and to Victoria. I have challenged the minister and his adviser to run in the next Melbourne Marathon which finishes at the MCG. I was lucky and privileged enough to do that earlier this year, and I challenge the minister and his adviser to join me next year. We might only do the 5 or 10-kilometre run, but finishing at that venue is just fantastic.

Mr LIM (Clayton) — I rise to join other members in support of this bill. I would like to start by saying that I am pleased to support this important bill. As members know, the main purpose of the bill is to transfer the management responsibility for Yarra Park from the City of Melbourne to the MCG Trust. One of the benefits of the change in the committee of management is the securing of the future of the trees in the park by putting up a significant water investment, therefore ensuring that additional water will be supplied to the park. We have heard from many speakers about the importance of the park and the precinct. Nothing is more appropriate than this bill to secure and ensure that the upkeep of the precinct is at maximum standard.

Yarra Park was established as a public parkland by Governor La Trobe for the enjoyment of the whole community. Over the years the park has served a very important range of functions, including the preservation of biodiversity and the provision of places for recreation and quiet enjoyment in the heart of the Melbourne central business district. Apart from that, Yarra Park surrounds our best known sportsground, the MCG. Each year the MCG welcomes almost 3 million visitors. Yarra Park has also been used as a car park for thousands of football fans.

Recently Yarra Park has faced major challenges due to the drought conditions in Victoria. This bill helps to improve park maintenance by providing additional investment in watering the park. I am especially impressed by the water saving technology, which uses a wastewater treatment plant to protect the amenity of Yarra Park. Because of this the condition of the park will be improved substantially in the future.

This bill will allow the MCG Trust to become the delegate operational manager of the Melbourne Cricket Club as well as Yarra Park. The bill supports this innovation in water recycling and water consumption reduction, which is consistent with our long-term water saving objectives.

Parking on Yarra Park is another major issue to be considered. I have heard some complaints about car parking in Yarra Park. Some people think that car parking in this park is somehow incompatible with the long-term protection and development of the park and that it might raise safety problems for visitors to the park. To solve these questions the bill sets out certain criteria that the MCG Trust must consider before allowing people to park their cars in the park.

Some of these assessments include the effect of parking on the condition of the trees, the condition of the soil and the level of subsurface water content, the safety of pedestrians and car parking attendant and the protection of public and private property et cetera. With these criteria it is reasonable to believe the MCG Trust will be able to manage parking in a safe and orderly manner, ensuring its use in the best way to support any major event held at nearby Yarra Park.

In addition to the above the bill also emphasises the importance of MCG Trust management effectiveness over Yarra Park. It also includes some additional regulation and amendments regarding the current regulation. For instance, this bill increases the penalties by up to 20 penalty units under the Crown Land (Reserves) Act 1978. The change of committee of management is reflected in the Melbourne (Yarra Park) Land Act 1980.

Furthermore, the bill makes a number of amendments to the Melbourne Cricket Ground Act 2009, the provisions of which ensure that whoever is delegated with the trust approval must apply the trust's role as committee of management as well as in relation to Yarra Park. To emphasise the Yarra Park management transparency, the amendments included in this bill also require the trust business plan to include key performance measures from the management. The annual report is used to examine whether the performance is satisfied to meet the target.

Finally, this bill also includes the unused area in the north of the park for open space, which will be permanently reserved as Yarra Park. In the future this can be used to build up more facilities for families to access. The bill covers comprehensive regulations to make sure the MCG Trust manages Yarra Park in a more effective way and that it keeps its value as a

world-class park for every Victorian to enjoy. I commend the bill to the house.

Mr PANDAZOPOULOS (Dandenong) — It is a pleasure to speak on the Melbourne Cricket Ground and Yarra Park Amendment Bill. It is a very important bill and also a very mature bill in the sense that it recognises the precinct around the MCG. Therefore the Yarra Park, as a result, is a place of importance not only for the local residents of East Melbourne but a precinct of worldwide importance, as seen by the core knowledge that so many people have around the world of Melbourne simply through the MCG. We see that with the number of visitors who go there not only when major events are on but also when visiting the new Australian Sporting Hall of Fame that is based there, with funding support from the federal government. People see this as an international mecca of elite sport. Of course that is what it is when the games are not on — a community precinct.

This is a mature bill in the sense that it recognises it is highly inconsistent to have different management bodies for Yarra Park and the MCG. The biggest impact on the park is really from its neighbour, the MCG, but there are two separate management bodies. It is only right that the main impactor on the park becomes the body that manages the park. The reason for that is that it allows for consistency in relation to the welfare of the park, the environment, the impact on the park and the community engagement by one manager and one provider. It allows the MCG Trust to be able, for itself — and this is what you do if you are thinking about trying to run this place in a proper and appropriate financial way — to build up any improvements that need to be made to the park and make repairs to any damage as part of the management planning and budget planning of the trust.

There is no doubt that there have been inconsistencies in the past actions of very well-meaning people on the committee of management and the City of Melbourne. However, at the end of the day we have recognised — and maybe the impact of the drought has advanced this — that perhaps there is a better way forward in management. Of course it does not mean that you do not involve the community, as committees of management have involved the community in the past. There is an advisory group that will have community representatives on it. There is no doubt that community representatives will be very strong and vocal supporters of what they believe are the community interests.

The thing about that whole area, though, is also taking into account the broader interests and trying to work through in the most acceptable way something that we

all expect. At the end of the day we expect Yarra Park to be there, existing mutually consistently with all the events and activities that occur at the MCG. That is what we want. We want that property aligned; we want it open and transparent.

When I say this bill is mature, I mean it shows how we continue to improve not only the way that major events are run but how they benefit communities; also, when they do impact on communities, through a more effective and efficient management process, it enables the issues to be worked through in the long-term interests of the park. It is great to see that there will be an important water recycling facility at the park that has never been seen before, mostly funded by the trust. We have had a drought for 13 years and this has never been there; it has not been part of the City of Melbourne works plan. The City of Melbourne has other priorities in its residential and business precincts. This is one way that this bill is enabling financial support to be provided for better management of Yarra Park.

That is why I am a strong supporter of the bill. It does those two great things: it helps us to manage the park and ensure that it remains a great environmental park in the future; it also helps us to acknowledge that major events, Australian Football League football and cricket are very important for the MCG and for the culture of Melbourne and Australia. It is something we are known for around the world. But the reality is that you can never take car parking away from there. A large number of people, the majority, will still come by public transport and efforts will be made, and perhaps greater efforts can be made, to help encourage more people to use public transport, but we also have to understand that not everyone can take public transport from where they live in Melbourne. We do not have fixed rail in all localities, and some people have different choices from others. So the option of driving in to the ground has to be made available, and it has to be managed in the most appropriate way.

I will wind up there. I commend the minister for working so hard to get this done properly and for the finetuning that has been done. There are a lot of checks and balances in this bill, and I wish it a speedy passage through the house.

Mr MERLINO (Minister for Sport, Recreation and Youth Affairs) — It gives me great pleasure to rise to sum up the second-reading debate on the Melbourne Cricket Ground and Yarra Park Amendment Bill 2009. In the spirit of acknowledging interests, I declare that I am a member of the mighty Hawthorn Football Club.

The MCG is more than just the best stadium in the nation. As we have heard again today, the MCG is an iconic facility. It is part of the heart and soul of this town and this state, and it has a special place in all our hearts. We heard that again during today's debate. I always enjoy listening to any debates we have that relate to the MCG. As we have heard today again, there is bipartisan support for this magnificent stadium.

I thank all the members who have taken part in this debate. I also thank the broader community and stakeholders in relation to the MCG and Yarra Park. As to the Yarra Park Association and the East Melbourne Group, the residents association, I have told them that the issue of car parking is where we agree to disagree, but I point them to the significant environmental benefits that could only happen as part of this new arrangement at the MCG and Yarra Park.

It is also a matter of social justice for me. As the member for Dandenong mentioned, not everyone in the outer suburbs and in regional Victoria has access to public transport to get to events at the MCG and the wider major sporting event precinct, so this is a matter of social justice as well.

I also thank members of the Melbourne Cricket Club, including David Meiklejohn and Stephen Gough, who have done a terrific amount of work with the government in preparing this legislation. I thank the MCG Trust, and John Wylie as chair of that trust, who have also done excellent work in partnership with the government and the community. My thanks also go to my office and to Sport and Recreation Victoria.

As I mentioned earlier, this legislation is a terrific win for Yarra Park. Yarra Park faces significant challenges and is undoubtedly the victim of a drought more than a decade long. The government had two options: to sit by and let it wilt or take action to preserve this important piece of Melbourne for many generations of families to come. The legislation will save Yarra Park. It is currently stressed and in desperate need of water and a significant upgrade. An upgrade of this nature could not happen any other way; the City of Melbourne would not have committed to it.

Parking will continue there; we do not shy away from that. We have committed to that because we understand how important parking has been for many families in our state over more than eight decades. Members have mentioned a survey showing the percentage of people travelling to the MCG from more than 20 kilometres or 40 kilometres away. For many, including families from country Victoria and the outer suburbs, parking in Yarra Park is an affordable and convenient way to

travel to events in the precinct. Melbourne City Council made it clear it wanted parking to end at Yarra Park next year at the conclusion of the current Yarra Park parking agreement. This is not an acceptable outcome to government, to all sides of this Parliament or to the thousands of Victorians who rely on it.

I particularly want to respond to the issues raised by the member for Lowan, the shadow minister for sport and recreation. I do not think we are in disagreement on the issues he raised, but I will delve into those issues a bit more deeply. In relation to advertising, I agree that no-one wants to see advertising adorning Yarra Park. That is something we agree on, and I know that in the member for Lowan's discussions with the Melbourne Cricket Club, it agreed with this as well. There are already very tight controls over signage and advertising in Yarra Park under its public park and recreation zoning. Under the planning scheme that applies to Yarra Park advertising, signs are subject to maximum limitation. Most types of signs are now prohibited, and they will continue to be so. However, there must be tightly monitored flexibility, and I will explain why.

A total ban on advertising in Yarra Park in the legislation would mean that every bit of advertising on Punt Road Oval, for example, would need to be stripped. Richmond Football Club has a great deal of signage around the oval, which significantly contributes to the club's bottom line. A ban would also impact on a number of other events held in the park that may involve use of advertising signs, such as AFL (Australian Football League) events during grand final week, the New Year's Eve event sponsored by the Melbourne City Council, the Melbourne Marathon, which was mentioned before, and events held during the Boxing Day test. This is not only in terms of signage but also in terms of temporary tents, vans and the rest of it. Advertising will not become a free-for-all. It will still be tightly regulated and monitored, but it will be allowed within reason to give event organisers the flexibility to run financially viable events in the park during those special occasions I mentioned.

The member for Lowan also asked whether we need thresholds and limits for major events. In implementing the decision to continue to provide parking for major events, the legislation is consistent with the current Yarra Park parking agreement. The trust must have regard to a number of factors. They include the expected demand; the extent and patterns of previous car parking in Yarra Park, and that is the key provision that the member for Lowan raised — proposed section 9(2)(b); the effect of parking on the surface of the park, the soil, the subsurface and the trees; the need to minimise excessive damage to or wear and tear on

the surface or subsurface; and the protection of public or private property. As I said, these factors reflect the requirements in the existing Yarra Park parking agreement. Let me be quite clear: the car parking capacity will continue to be at current levels.

The member for Lowan also raised the issue of who is responsible for making amends when there is disruption to the park, particularly after the construction of the water treatment plant. It will be the responsibility of the committee of management to make sure the park is maintained in accordance with the management and approval plan, which is approved both by me as minister for sport and also by the Minister for Environment and Climate Change.

In relation to the management and improvement plan, this legislation provides a much greater level of accountability and transparency. Under proposed section 10, 'Money received in relation to Yarra Park Reserve', proposed section 10(1) says:

Any money received by, or collected on behalf of, the Trust in relation to Yarra Park Reserve must not be spent for any purpose other than the operation, management, maintenance and improvement of Yarra Park Reserve.

Furthermore, proposed section 10(2) says:

All money received and spent in relation to Yarra Park Reserve must be accounted for separately in the financial statements of the Trust.

There is accountability in terms of the Yarra Park Advisory Committee, which will have on it representatives of both the community and Melbourne City Council, so there is community accountability. There is accountability at a ministerial level, and there is accountability in terms of the public documents — that is, the business plans, the management improvement plans and the annual report. Therefore there is a much greater level of accountability and transparency.

The member for Lowan also raised the general issue of parking. Investigative works were conducted into the creation of an underground car park, which is something that the City of Melbourne and several local residents groups have called for. The work into the alternative underground car parking was done, and it showed that this would be both incredibly difficult and expensive. The logical area for an underground car park has a significant level of basalt very close to the surface, which would make it very hard and extremely expensive to build a large underground car park. The economics do not stack up. The cost would be in the several hundreds of millions of dollars. Even if it were entered into with a private partner, it would not be

financially viable. The investigation into constructing a major underground car park has been done.

In terms of the broader issue of car parking, this will always be a matter we need to deal with not only at the MCG but also at Melbourne and Olympic parks, the Australian Open Tennis Championships and all the events that will be at the rectangular stadium. The member for Dandenong is exactly right — we need at all times to look at how we can improve the combination of going to major events and catching public transport. The organisers of the Australian Open are doing such work in terms of ticketing both for public transport and for going to the event. That is probably the best example of where we need to head into the future, but I come back to the point that that is not an option for many thousands of people in our suburbs and in regional Victoria, so we need to continue to provide the option of parking at Yarra Park.

In conclusion, this whole package around the MCG and Yarra Park provides huge environmental benefits to the park itself. Cars will continue to be able to park there for the AFL games, the cricket and other major events in the precinct, but they will be in a park which is greener and has healthier trees. That is the result of the \$22 million investment, which would not have happened otherwise. It is a great boost for our AFL clubs and their financial bottom line, and it has been warmly welcomed by the AFL fraternity. The fans will be able to continue to park their cars there, and they will see a significant improvement to the Great Southern Stand in the future. This bill does a great deal for Yarra Park. I commend the bill to the house.

Motion agreed to.

Read second time; by leave, proceeded to third reading.

Third reading

Motion agreed to.

Read third time.

LIQUOR CONTROL REFORM AMENDMENT (PARTY BUSES) BILL

Second reading

Debate resumed from 11 November; motion of Mr ROBINSON (Minister for Consumer Affairs).

Government amendments circulated by Mr ROBINSON (Minister for Consumer Affairs) pursuant to standing orders.

Mr O'BRIEN (Malvern) — I am pleased to rise to speak on the Liquor Control Reform Amendment (Party Buses) Bill 2009. I advise that the opposition supports this bill, which seeks to amend the principal act to regulate the supply and consumption of liquor on party buses. In fact the opposition has been on the record supporting the proper regulation of party buses for years now, and it is an indictment of the competence of this government that only now, in the last sitting week of 2009, are we debating a bill of this nature.

Let me take a few minutes of the house's time to examine the history of this matter. The Liquor Control Reform Amendment Bill 2007 was read a second time on 1 November 2007. In his speech the minister said:

The bill also addresses a gap in the existing act with respect to the operation of 'party buses'. The bill will introduce a provision to specifically prohibit permitting or allowing the consumption of liquor on a 'party bus' without a licence or BYO permit.

If only the 2007 bill did that; of course it did absolutely nothing of the sort. Clause 22 of that bill inserted new section 113A, which simply says:

- (1) A person must not permit or allow any liquor to be consumed or supplied on a bus unless a licence or BYO permit is in force in respect of the bus.

Then it says:

bus has the same meaning as in the Public Transport Competition Act 1995.

The minister actually said in his second-reading speech that he would introduce an amendment that applied to party buses, but the actual amendment in the bill did not define 'party bus'. It did nothing of the sort; it just referred to consumption on a bus, which has meant that this bill has had massive consequences for a whole raft of community, social and sporting groups right throughout our state.

I would like to refer to my contribution to the second-reading debate on this bill on 21 November 2007. As in the old Andy Capp comic where Andy Capp said, 'I often quote myself; it adds polish to my conversation', I hope I will have the house's indulgence to do this. In my second-reading debate contribution I said:

In his second-reading speech the minister said that this provision is supposed to deal with party buses. It provides that a person must not permit or allow any liquor to be consumed

or supplied on a bus unless a licence or BYO (bring your own) permit is in force in respect of the bus. This is going to have a devastating impact on many sporting, social and community groups. In many sporting clubs having a social drink on the bus with your team mates on the way home from an away game is an important part of the experience.

This provision would likely put that to an end, because it requires that a licence or a BYO permit must be in force in respect of a bus if any alcohol is to be consumed or supplied on the bus ...

...

It is lazy drafting from a lazy government and a knee-jerk action designed to create a cheap headline, but shows no consideration for the impact these actions will have on the Victorian community, particularly those in country Victoria.

The introduction of this legislation is also likely to penalise people for acting responsibly by hiring a bus to avoid the possibility of drink driving. We will seek to amend this by implementing a definition of 'party bus'. We ask government members to take up the issue and improve it, if they can. This is lazy policy from a lazy government in what is otherwise a bill that does have aspects which are commendable.

We identified this problem at the start. The government was too lazy and too incompetent to define a party bus in the 2007 amendments. We picked this from the word go. I moved an amendment to define 'party bus'. Apparently this was an amendment which was beyond the wit of the Minister for Consumer Affairs and the rest of the government, because they did not have a definition of 'party bus'. So we put forward a definition of 'party bus', which is on the parliamentary record. The government rejected the amendment that I moved. The minister claimed on 6 December 2007:

What the Liberal Party came up with — and this is the nub of the issue — was a disastrous amendment that would have created a legal loophole for clubs, if they chose to use it, to operate their own party buses.

In fact, having looked at the Liberal Party's amendment over the last couple of days, it would have created a situation where a club could have said, 'We'll put a big bus on, and we'll operate it exactly as a party bus.'

When we come to examining the bill in detail we will see how well the minister's criticism of my amendment stands the test of time and what that says about the competence of the government.

Mr R. Smith — And the minister.

Mr O'BRIEN — And the minister, as the member for Warrandyte pointed out. The problems that could flow from the government's failure to attempt to define what a party bus is were also seen by minor parties in the other place. As a consequence of the government's poor efforts at trying to regulate party buses, clause 22 of the bill was referred to the Legislation Committee in

the other place. On 6 December 2007 that committee met, and Ms Lovell of the Liberal Party said:

With regard to clause 22, like the Greens we have no issue with the party bus industry being licensed and regulated. We believe it should be regulated, and we look forward to you, Minister, bringing back legislation that specifically provides regulation for the party bus industry.

Our view has been on the record for a long time. We believe the party bus industry needs to be regulated properly. The minister also stated his position to the committee on 6 December 2007. He stated:

As a consequence of the government's indication that it is prepared to drop that clause, it is something we will have to revisit.

He went on to say:

It is just something we are going to have to consult widely on and bowl up some proposition in the new year —

that was the new year of 2008. Not one, not two, but 17 sitting weeks throughout 2008 saw precisely nothing occur: not one bill, not one line, not one bit of regulation. This government — this minister — was asleep at the wheel. It did nothing. The minister promised to bowl up new propositions at the start of 2008. He failed to do so and left the party bus industry completely unregulated thanks to his own lack of endeavour and lack of competence on this issue.

That takes us to 2009. For the first six months of this year, again, nothing: not one word, not one line, not one bit of regulation. Then in the early hours of Sunday, 23 August, a member of Victoria Police was savagely bashed in Melbourne's central business district, yet another victim of the rising tide of violent assaults under this government. The alleged perpetrator of this assault had been on a party bus shortly before the alleged incident. This attracted the attention of Victoria Police and the media with the *Age* of 24 August 2009 reporting:

Mr Overland said party buses encouraged irresponsible drinking and were of concern.

'Party buses are another factor police have to deal with in the city. Certainly a number of my staff have raised this with me', Mr Overland said.

The article then goes on to note:

Consumer Affairs minister Tony Robinson today said the government would introduce a bill to state Parliament to ensure party bus operators had to apply for liquor licences.

So, 31 sitting weeks and nearly two years after the Minister for Consumer Affairs promised in the Parliament to deal with party buses in the new year of

2008, the government finally decided to act. It is just a shame that it took the savage bashing of a police officer and the resultant media attention to make this happen. It does raise the question: how many other victims of this government's incompetence and failure to regulate party buses have there been that we have just not heard about?

The deceit of this government does not stop there. Being rightly blamed for its incompetence and its failure to keep its word to introduce legislation in early 2008, the government then attempted to blame the opposition. Being interviewed on 3AW on 25 August this year the Premier was asked by Neil Mitchell:

What about party buses: are you gonna do something about them?

His response was:

Yeah, and we tried to do something about party buses earlier this year —

This is in 2009, mind you —

and we got knocked back in the upper house by the Liberal Party.

The Premier tried to wrongly blame the opposition — wrongly because the minister withdrew the clause. Let me go on. When grilled further about party bus laws the Premier resorted to dishonesty:

Mitchell: Apparently, December 2007 he —

'he' being the minister —

promised to come forward with amendments.

Brumby: I'm not sure that's right.

Mitchell: No?

Brumby: No.

In fact, as we know, as I have already read into the record, the Minister for Consumer Affairs promised the Parliament that he was going to consult widely and bowl up some proposition in the new year of 2008. Not only did the Premier try to blame the opposition for his own government's failure to get legislation right in the first place, but he then told a blatant untruth in denying the fact that the minister at the table, the Minister for Consumer Affairs, had told the Parliament that he was going to bowl up propositions in early 2008 to fix this problem of the government's own creation.

This was so outrageous that Neil Mitchell was moved to write a column about it in the *Herald Sun* of 27 August 2009. The column is by Neil Mitchell, is

entitled 'Victorian Premier John Brumby needs a break' and it starts off like this:

John Brumby is likely to be grumpy when he reads this, but if he does react that way it will prove the point: the Premier needs a holiday.

He goes on:

He has taken pride in his ability to get across an issue in any portfolio. But today he does not command the detail.

...

There were two examples this week in his regular interview on 3AW.

First, he accused the opposition of rejecting legislation to control the booze-fuelled party buses. When told that the government had agreed to revisit the laws almost two years ago and done nothing, he denied it unequivocally. He was wrong.

Not only the government's incompetence but also the government's deceit and dishonesty has been exposed, not just by the opposition but by media commentators such as Mr Mitchell. But if this tragic record of incompetence, delay, denial and deceit is not bad enough, believe it or not, Acting Speaker, it gets worse. In his second-reading speech for this bill on 12 November 2009 the minister said, and I quote:

The Brumby Labor government made a commitment to regulate party buses by the end of the year ...

The Premier made a similar commitment on Neil Mitchell's program on 25 August 2009:

Mitchell: Okay. Anyway, the party buses will be dealt with before the end of the year?

Brumby: Yeah, and we need to deal with that.

Having given that commitment, what does the government do in the second-last sitting week of 2009? It removes this bill from the government business program. The government knows the usual practice in this Parliament is that bills are debated in one chamber one week and the other chamber the following sitting week. You have to wonder whether this was done deliberately. Was this incompetence or was it contempt? I am not sure which it was, and I am not sure which one is worse. But the effect of the delay is that in the normal course of events the bill would not pass the Parliament and would not be in place for this summer — the height of the party bus season.

We drew the media's attention to this state of affairs, notably on the Neil Mitchell program, which then saw the minister scurrying to try to get in his own comment, but he was pinned and he knew it.

Mr Robinson — You've overreached!

Mr O'BRIEN — The minister says I overreach. The minister seems to be suggesting that I should have stayed mute and let him make sure this bill did not get through the Parliament before summer. He seems to think that this is some sort of game, that the clever political thing for me to do would have been to say nothing until the government did not get this bill through before summer and then come out and attack him. That tells you everything you need to know about this government's competence and this minister's competence and about the fact that they think regulating party buses is all a political game and is nothing to do with actually protecting the public.

Sitting suspended 6.30 p.m. until 8.03 p.m.

Mr O'BRIEN — Before the dinner break I noted that the minister who was at the table, the Minister for Consumer Affairs, seemed to be suggesting that in some way it was not too clever of me to have publicly pointed out the fact that if this minister had his way, this bill would not be in place for this summer. I was making the point that not only does this show the sort of cynical politics that is practised by those on the other side of the house, but it also shows the lack of competence of that minister in relation to the party bus laws. Since 2007 we have been pushing for effective party bus regulation to be put in place. This minister told the Parliament and the public that he would take his flawed attempt from 2007, fix it up and reintroduce it at the start of 2008. He failed to do so, and it took the savage bashing of Sergeant Brett Ward in the central business district in August this year and the resultant adverse publicity in relation to this government before it took any action to regulate party bus laws.

If the Minister for Consumer Affairs wishes to try to portray me as being somehow naive because I thought it was important to draw to the attention of the public the fact that by taking this bill off the agenda for last sitting week it would not get through the Parliament before the summer in the normal course of events, then I am happy to stand up and accept that. But what I say is that it portrays his cynicism and his incompetence as a minister of the Crown in relation to his failure to regulate a vitally important part of the liquor licensing laws. That really is a reflection of the incompetence of the minister and this government on such a serious issue.

I would like to return to the bill, and I have spent some considerable time on the background to this bill because it is important to get the facts on the record. The first substantive part of this bill relates to clause 7,

which provides for a new section 113A in the principal act. Proposed section 113A(1) provides that:

A person who is the operator of a party bus must not permit or allow any liquor to be consumed on the party bus in the prescribed circumstances unless a licence or a BYO permit is in force in respect of the party bus.

The proposed subsection then prescribes a penalty of 50 penalty units, which is close enough to \$6000. The first thing to notice about this provision is that it does not apply to the driver of the party bus. On this side of the house we think that is appropriate. It should be the operators of the party bus who are responsible for complying with the law and not a particular individual who happens to be employed by the operator of the party bus company to drive the bus on any particular evening.

Proposed section 113A(2) provides:

It is a defence to a prosecution for an offence under subsection (1) for the accused to prove that —

- (a) the accused did not knowingly permit or allow the consumption of liquor on the party bus; and
- (b) the accused had taken reasonable steps to ensure the liquor was not consumed on the party bus.

The first thing I note is that this is very similar to the defence that currently applies in the principal act with respect to having intoxicated persons on the premises. If, as the owner of a hotel you are charged by the police with having intoxicated persons on the premises, it is a defence to show that you did not knowingly permit this person on the premises and that reasonable steps were taken to try to prevent them from getting onto the premises. In all the circumstances it is appropriate that a similar sort of defence be available to the operators of party buses.

Proposed section 113A(3) provides:

For the purposes of subsection (1) the prescribed circumstances are that the party bus —

- (a) is operating on or after 8 p.m. on a particular day and before 5 a.m. on the following day ...

In other words, a party bus by definition can only operate from 8.00 p.m. one day to 5.00 a.m. the next day. That means that buses that commence at 6.00 a.m. and conclude at 7.00 p.m. that day are not party buses no matter what they do or where they go. There is always going to be a market for people who want to travel on a party bus and partake of alcoholic beverages at all sorts of hours, but it is probably fair to say that the odds are that the type of party buses we are seeking to regulate in this bill are those that tend to travel during

night time. The other requirement in this proposed subsection is that the party bus is operating in a designated area.

Designated areas are those areas that have been designated under the act. At the moment designated areas can be found in the city of Greater Geelong, the city of Knox, Traralgon, the Ballarat central business district, the city of Greater Bendigo, the city of Port Phillip, the city of Yarra, the Melbourne central business district, South Yarra, Prahran, Warrnambool and Frankston. These are regarded as being entertainment precincts where there is a high concentration of pubs, nightclubs and those sorts of venues.

The legislation provides that a party bus must operate in a designated area or for the purpose of carrying passengers travelling to or from or visiting a designated area. I suppose you could term this a loophole to the extent that if a bus is travelling to or from areas other than designated areas, it could be a full-on party bus and could have as much liquor as people could carry but not be caught by this legislation.

It may well be that party bus operators will seek to use the definition of 'party bus' within this legislation and adjust their activities accordingly. I think it is very important for the government to keep a close eye on this. Should this be the case, the government must be prepared to come back to this Parliament in short order and amend this legislation if required. We do not want to see a situation where there are regulated party buses within a few precincts across Victoria and the rest of Victoria is open slather — the rest of Victoria is entirely unregulated — because that is the effect of this bill.

My urging to the government from the opposition's point of view is that this area has to be very closely monitored. We need to see a lot more diligence from this government and this minister than we have seen to this point in relation to monitoring this amendment and its effect.

Proposed section 113A(4), to be inserted by clause 7, goes into various definitions and includes a definition of a bus. A 'bus' means:

- (a) a motor vehicle that has been built —
 - (i) with seating positions for 10 or more adults (including the driver) ...

That would seem to be a reasonable view to take. I do not think we want to have a standard family people mover being accidentally designated a 'party bus'.

The definitions section also goes into what is a community and a private bus service. That is really relevant to what is the definition of a 'party bus'. It is probably worthwhile reading this definition into the record because it is key to how this legislation operates. It states:

party bus means a bus that is operated for hire or reward ...

I will stop at that point. Obviously this indicates that people operating a bus which may be travelling to or from a designated area that is not being operated for hire or reward are outside the net. It is pretty safe to assume that people do not tend to operate party buses out of the goodness of their hearts: they do it as a commercial venture, they do it for the purpose of getting people to pay for the privilege of getting onto the bus, of taking them to and from nightclubs and pubs. I think that nexus for having hire or reward is very important one in relation to the definition. The whole definition states:

party bus means party bus means a bus that is operated for hire or reward for the carriage of passengers on the basis that the bus is pre-booked for those passengers but does not include —

- (a) a bus operated by or for a community and private bus service; or
- (b) a bus hired by or for a group of passengers who provide their own driver.

From looking at some of those exclusions, if there is a bus that is hired by a group of passengers who provide their own driver, it is by definition not a party bus. We think that that is entirely appropriate. We want to encourage social groups, community groups, sporting groups, philanthropic groups to have social activities. Many organisations will hire a bus, nominate a driver and travel to and from social events. These groups should not be regarded as having hired a party bus. If organisations are providing their own driver, that is very much at the heart of what we expect a lot of community organisations to do, so it is entirely appropriate for that not to be within the definition of a 'party bus'.

Coming back to the earlier subclause concerning a 'bus operated by or for a community and private bus service', the phrase 'community and private bus service' is defined elsewhere in this bill. It states:

community and private bus service means a service —

- (a) consisting of the carriage of passengers by a bus for or in connection with the activities of a religious, educational, health, welfare, philanthropic, sporting or social body; and

- (b) which is provided for no consideration or for consideration which is limited to the costs or part of the costs incurred in making the journey ...

I think the definition of what is a community and private bus service is appropriate. We want to ensure that those organisations that are part of the heart and soul of our community — the tennis clubs, the footy clubs, the Probus clubs, the Rotary clubs, the Country Women's Association, the Manangatang bowls club — are able and encouraged to go about the important social work they do in our state without being caught up in unnecessary liquor licensing regulation.

These are exactly the same sorts of bodies that the opposition sought to exclude from the definition of 'party bus' in the 2007 bill. It is interesting to read about the opposition's attempt to amend that earlier bill. On 6 December 2007 the Minister for Consumer Affairs said in this place:

What the Liberal Party came up with — and this is the nub of the issue — was a disastrous amendment that would have created a legal loophole for clubs, if they chose to use it, to operate their own party buses.

When members of the opposition tried to fix the government's flawed legislation in 2007 the Minister for Consumer Affairs said what the Liberal Party had come up with was rubbish because it would let clubs operate their own party buses. But let us look at who is exempted in the government's bill today. Which groups are exempted from the definition of 'party bus'? They are religious, educational, health, welfare, philanthropic, sporting or social bodies. It makes you wonder what the point was. What have we been arguing about for the last two years? Why did the government not just accept the amendments proposed by those on this side of the house to its flawed legislation of 2007? If the government had done that, party buses would have been regulated for the last two years and maybe Sergeant Brett Ward would not have had his face caved in by a drunken thug who was allegedly on a party bus in August this year.

We have been arguing over what is essentially nothing, because what the government has brought in with its party bus regulations is almost exactly the same thing that we in the opposition proposed more than two years ago. For the minister to now say that the opposition got it wrong two years ago when the bill the government has brought in is almost exactly what the opposition proposed two years ago makes the minister's claim a mockery and again underlines the absolute incompetence of the government and the Minister for Consumer Affairs in particular. A lot of people in Victoria can legitimately be asking questions as to why

this government rejected the opposition's amendments to the 2007 bill when people have been seriously hurt or injured as a consequence of this government's failure to act for the last two years.

Having noted that, I reiterate that opposition members support this bill because they have always supported proper regulation of party buses in this state. We support this bill because this regulation is basically what we proposed two years ago. Unfortunately we have a minister who does not have the wit, the wisdom or the courage to acknowledge that he had got it wrong. He should have said, 'Yes, opposition members have got it right. Let's get this in. Let's regulate party buses'. The government has been deceitful about its failure to do so. It has been deceitful about the reasons it failed to act. It has absolutely messed up the timing of the introduction of this bill and the time available for debate. We now have to rush the bill through both chambers of Parliament this week because this government is unable to manage its agenda.

The minister tried to imply that opposition members were being naive in drawing this matter to the attention of the public. Our aim is to have proper regulation of the party bus industry to protect the public. Obviously that is a matter which is far from the mind of the minister, who is more interested in a cheap headline than actually ensuring that our streets are safer.

With those words I say that the opposition supports this bill, but the government and its members should be hanging their heads in absolute shame for their failure for over two years to legislate and regulate this industry. They have failed for two years to pick up what we proposed two years ago — legislation which would have been effective in regulating party buses.

Mr HUDSON (Bentleigh) — It is a pleasure to speak on the Liquor Control Reform Amendment (Party Buses) Bill because it builds on the many reforms introduced by the Brumby government to tackle alcohol-fuelled violence, especially within the central business district. This bill specifically targets party bus trips when patrons supply and consume their own alcohol. The legislation requires a party bus operator to apply for a BYO liquor permit from the director of liquor licensing where patrons bring their alcohol onto a bus and consume it on the bus. The legislation provides that the director of liquor licensing can impose conditions on those licences — for example, the director could impose a condition that prohibits party bus operators from entering into cheap drink deals with venues. In such an arrangement a bus pulls up at a venue, the patrons get off, go inside the venue and get cheap drinks and then get back on the

bus and go to another venue where they also get cheap drinks and so on and there is an excessive consumption of alcohol. This bill provides that if party bus operators do that, they can have their licences or permits suspended or cancelled by the director.

The offences in relation to this bill are quite severe. A party bus operator cannot allow alcohol to be consumed on a party bus without a BYO permit or licence, or the party bus operator will be subject to a fine of up to \$6000. The bill makes it very clear that these provisions relate to particular designated party buses. The bill relates to party buses that operate between 8 o'clock at night and 5 o'clock in the morning and to designated areas, such as the central business district, including the inner city of Melbourne and St Kilda, and the Geelong central business district.

The member for Malvern complains about this restriction. He says it could be too rigid. It seems to me the member for Malvern wants to have it both ways. The last time we debated this issue the member for Malvern said the bill was too broad. He said it was all encompassing and would pick up all sorts of party buses on which people were consuming alcohol. Now he says the provisions could be too inflexible. The fact of the matter is you cannot have it both ways. You are either in favour of targeting particular party buses, as this bill does, or you are not. These reforms are long overdue, because you only have to go — —

Honourable members interjecting.

Mr HUDSON — We will come back to that. You only have to go to the websites of many party bus operators to see the kinds of problems we have. The website of one party bus operator, The Booze Bus, indicates that the whole focus of that business is the consumption of alcohol. Another party bus company proclaims on its website, 'Not old enough to go to nightclubs and bars? How about coming along on one of our party buses?'. Clearly party bus companies are targeting under-age patrons and have websites which feature under-age patrons, and that is a problem this bill is designed to tackle. This legislation will tackle the significant harm that is caused by excessive alcohol consumption.

Let us get back to the issues raised by the opposition. It was always clear that the intent of the 2007 legislation was to ensure that winery tours, social club trips and community organisations were not going to be targeted. At that time, in response to concerns raised by members of the opposition, the minister made it clear that he would issue guidelines about the type of party buses that were targeted by the legislation, and members of

the opposition know that. Of course opposition members were much more interested in running a massive scare campaign in country areas. They pretended that this bill targeted the average football club, targeted your average Probus club and that the intent of the legislation was to require those groups to go out and get BYO permits in order to run their tours, but that was not the intent of that bill. If any people are responsible for the delay in the introduction of this legislation, it is members of the opposition, because they voted down those provisions at the time despite knowing that that was not the target of the bill.

In the meantime the government has been getting on with the job of targeting alcohol-fuelled violence and dealing with the harm caused by excessive alcohol consumption. So far this year we have funded the recruitment of an additional 120 police over and above the government's commitment of 350 more police this term. We have given the police and the director of liquor licensing new powers.

Mr R. Smith interjected.

Mr HUDSON — These are net additional police. The member for Warrandyte does not understand the concept of net additional police. He probably does not because when the opposition promised extra police, police numbers were cut. But we understand what net additional police are — that is, those over and above the ones who retire or otherwise leave the police force. That has been our commitment; that is the commitment we have met to date and during the course of this term of government.

We have also given police and the director of liquor licensing new powers to suspend liquor licences because of violent incidents and poor management. We have given the director of liquor licensing new powers to ban inappropriate and irresponsible drink and venue promotions. I think we should refer back to the contribution of the then shadow minister — —

Mr O'Brien — On a point of order, Acting Speaker, the member for Bentleigh has been running through a litany of what he says are other measures the government has taken in relation to liquor licensing. This is a bill about the regulation of party buses. The member has not spoken for 1 second about how these measures affect the regulation of party buses. He does not have the latitude of a lead speaker, and I ask that he be brought back to the content of the bill.

The ACTING SPEAKER (Mr Ingram) — Order! I uphold the point of order. The member for Bentleigh should confine his comments to the content of the bill.

Mr HUDSON — The whole point is this: this government has taken significant action to address the question of irresponsible venues, including party buses. The member for Malvern had half an hour, but he cannot stand to hear what the government is doing to tackle alcohol-fuelled violence in venues, including on party buses and including doubling to \$13 000 the penalties for serving intoxicated individuals and allowing drunks to remain on the premises.

The government has given police the power to ban troublemakers from designated areas such as the Melbourne and Geelong central business districts. We are also giving police the power to issue infringement notices to people who are drunk and disorderly on party buses. They are part of the reforms the government is introducing. The opposition hates to hear about this — about the reforms introduced by the government. It was much more content to run a scare campaign against the last bill, which was irresponsible. The opposition was completely on the wrong bus in terms of the intent of the amendments at the time — amendments which were clearly targeted at irresponsible commercial bus operators. They were not targeted at football clubs, Probus clubs or social clubs. This bill makes sure that commercial party bus operators are the target. I commend the bill to the house.

Mr NORTHE (Morwell) — I have great pleasure in making a contribution to debate on the Liquor Control Reform Amendment (Party Buses) Bill 2009. This bill will amend the Liquor Control Reform Act 1998 to regulate the supply and consumption of liquor on party buses. The bill also requires that an operator of a party bus, as defined, must not allow any liquor to be consumed on the party bus in prescribed circumstances unless a liquor licence or BYO permit is in force. Failure to comply with this requirement is an offence with a maximum penalty of 50 penalty units, which is \$5841.

This legislation forms part of the Brumby government's proposal to tackle alcohol-fuelled violence. However, opinion is very mixed on how well this legislation deals with this issue. I say from the outset that the member for Malvern made a fantastic contribution; he gave a very succinct and clear overview of this legislation and what has occurred with it over the previous two years. I commend the member for Malvern for doing so.

In his contribution the member for Bentleigh spoke about irresponsible drinking, venues and so forth. I say to the member for Bentleigh that his contribution to the debate on this particular legislation was irresponsible. However, at least the legislation before us is an improvement on the attempt by the government back in

2007 to regulate party buses. It may be somewhat cynical of me to say that recent media articles on party buses and their patrons prompted the Brumby government to act now.

The member for Malvern in his contribution referred to some of the media articles that have appeared recently in relation to these types of incidents, particularly in the *Herald Sun* in August this year. On 24 August the *Herald Sun* reported an allegation that a patron on a party bus had assaulted a police officer, and that caused much consternation not only in the local media but also in the police force. At that time the police union called for mandatory jail terms for lunatics who assault police, and the Lord Mayor of Melbourne, Robert Doyle, called for the bus industry to become more heavily regulated. Again I refer to the member for Malvern, who in 2007, in response to amendments proposed at the time, called upon the government to do these types of things. It is two years later, and here we are.

It is important to note the definition of 'party bus'. As I said, the member for Malvern has given a succinct and clear overview of the definition of. That definition has a similar tone to what the member for Malvern proposed two years ago as part of an amendment to the legislation. The definition of 'party bus' requires that the bus be operated for hire or reward for the carriage of passengers and be pre-booked for those passengers. It does not include the circumstance where a group of passengers provide their own driver, and it does not include a bus operated by or for a community or private bus service. These requirements are important and of interest to regional community organisations in particular, whether they be sporting, recreational or other community organisations, that quite frequently travel on buses to functions and events within their community. The legislation previously proposed by this government trapped these types of organisations and sporting clubs in those regulations.

Some other areas of the bill that are worth pointing out include that the bill will not prohibit the consumption of alcohol on party buses, but it will ensure that they are subject to the regulatory controls under the act. At the moment if a party bus supplies alcohol to its customers, it is required to have a liquor licence. However, most party bus operators do not supply alcohol; instead it is brought onto these buses by passengers and consumed during the journey. In these circumstances the party bus operator is not required to hold a liquor licence or to obtain a BYO permit. This bill will ensure that high-risk party buses will have to obtain a BYO liquor permit if they wish to continue this practice. As the member for Malvern alluded to, private bus services

and community and sporting groups will be exempted under this legislation.

One point I would like to make is that the bill is quite contradictory in that it provides for an exemption from the offence of permitting a drunken or disorderly person to be on premises, and that could include a party bus. This exemption would allow a party bus operator to permit drunk and disorderly persons to remain on board, yet at the same time a party bus is considered a public place under the Summary Offences Act 1966. So that means a passenger on a party bus will still be liable under that act for the offence of being drunk and disorderly. There are still some contradictions in what occurs under this particular piece of legislation. That is quite interesting.

The requirement to hold a liquor licence or BYO permit for a party bus applies only in prescribed circumstances. A couple of those points are in reference to making sure the buses operate after 8.00 p.m. and before 5.00 a.m. the following day. They also must operate in a designated area. Within my electorate of Morwell, the Traralgon CBD (central business district) is a designated area. I want to raise the lack of transport facilities for patrons in that designated area. We certainly do not have party buses in our region, but we have been calling for some time for NightRider bus services similar to those available in Melbourne.

The Traralgon CBD Safety Committee, the mantra of which is to reduce the incidence of alcohol-fuelled violence, includes representatives of local police, venue operators, taxi operators, transport people and local businesspeople who feel very strongly that a NightRider bus service would be able to take people away from the Traralgon entertainment precinct in a timely manner. While the government can see a way forward in subsidising the metropolitan areas of Melbourne and providing such a service, it is not able to provide the service in regional areas such as the Traralgon entertainment precinct which, as I said, is a designated area. We feel very strongly about that.

In summary, I want to commend the member for Malvern. I repeat what he said in his contribution: there has been a lapse of two years in the Brumby government responding to the issue through this legislation, which is long overdue. I commend the member for Malvern for his contribution.

Mr TREZISE (Geelong) — I also rise to speak in support of the Liquor Control Reform Amendment (Party Buses) Bill 2009 which is before us tonight. I am pleased to support this important bill, knowing it is another positive step forward by the Brumby

government in ensuring that the state government has progressive, tight but workable laws in place to protect our young people, especially those who are heading out on a Saturday night in either the Melbourne central business district or in a number of regional areas, such as my electorate of Geelong, to have a drink and a good night out.

I said ‘another positive step forward’ because this government over many years has worked with the hospitality industry, police, local councils such as the Greater Geelong City Council and Surf Coast Shire Council in my region, and other stakeholders to curb alcohol-fuelled violence and the more prevalent antisocial behaviour.

In my electorate of Geelong, which includes a central activities designated area, there are a number of pubs and nightclubs. The state government has worked, as I said before, with the City of Greater Geelong, local clubs, police, media and the wider community to ensure that pub and club patrons can enjoy themselves without the risk, as other members on both sides of the house have mentioned, of some drunken thug assaulting an innocent bystander who is out to have an enjoyable night.

In partnership with the stakeholders I have just mentioned, the government has eliminated much of the violence and antisocial behaviour on the streets of Geelong and Melbourne. That is not to say there are not still individuals who will go out of their way to cause harm or trouble, but through numerous initiatives this government has taken or introduced, the problem on the streets of Geelong has been reduced markedly over the last three or four years. I know the initiatives we are debating tonight will be welcomed by the industry, the police and others because they will add to the work that has already been done or initiatives that have been taken by the state government.

Over the last couple of years in my electorate of Geelong, which I have spoken about, many initiatives have been introduced that have proved to be effective. These include ID scanners operating at nightclubs and pubs in Geelong. Local police now have mobile scanners to enable them to network with pubs and clubs, and in turn those pubs and clubs have radio contact with each other to ensure that the thugs we talked about or drunken patrons out looking for trouble are identified and eliminated from the pubs and clubs. In conjunction with that, tonight we are debating legislation regarding party buses. There are also initiatives such as the ability for police to ban troublemakers from central activities areas — we

passed legislation 12 months ago regarding this issue — including the central activities area of Geelong.

The list of initiatives goes on. I will not go through things such as the accord that has now been agreed to in Geelong and the Greater Geelong City Council upgrading lighting and security cameras in the Geelong central activities area, for which I congratulate the council. They are great initiatives.

However, I am disappointed that, particularly in pubs and clubs in Geelong, alcohol is still being served in glass containers, which leads to the inherent risk of patrons being glassed late at night. That is an abhorrent crime that could be easily eliminated by supplying alcohol in non-glass containers. That is an issue for another day.

I support this legislation before us tonight because it regulates more stringently the so-called party bus industry that is growing in popularity. There are buses that emanate not only from the Melbourne central business district but from regional areas like Geelong. I was surprised to learn over the last couple of days that up until now the bus operators who allow partygoers to bring their own alcohol onto a bus are not required to obtain a BYO licence. This legislation we are passing tonight will ensure those party operators need to get a licence.

Having said those few words I repeat that this is important legislation; it adds to initiatives that have been introduced by this government over the last 10 years. I therefore wish the bill a speedy passage through the house.

Dr NAPHTHINE (South-West Coast) — I rise to speak on the Liquor Control Reform Amendment (Party Buses) Bill. This party bus has certainly had an interesting journey. In 2007 the Liquor Control Reform Bill sought to introduce legislative controls on party buses, but the government got the legislation wrong and did not listen to the wise advice of the member for Malvern and the opposition.

With the legislation that came in previously many innocent groups — those having a quiet drink on the way back from the football or on their way to the Dunkeld races, those having champagne on a bus on the way to a dinner venue, or lady bowlers — were caught up. The opposition offered a way forward: the government, in a fit of pique, ran away from that. Then instead of fixing the problem, the government stalled — the party bus was stalled for a couple of years until there was another crisis stimulated by alcohol-fuelled

violence and the savage bashing of a police officer, which brought about the introduction of this bill.

We on this side of the house welcome the definition of ‘party bus’, but we have some concerns that there may still be some inadvertent catching of people who perhaps should not be caught in this legislation. In clause 7, which inserts new section 113A, under the heading ‘Consumption of liquor on party buses’ the bill states that the prescribed circumstances are that the party bus:

... is operating on or after 8 p.m. on a particular day and before 5 a.m. on the following day ...

... is operating —

... in a designated area; or

... for the purpose of carrying passengers travelling to or from or visiting a designated area.

Those designated areas, I understand, include Geelong, Warrnambool, Ballarat and the Melbourne CBD (central business district), among other areas.

I seek from the minister advice about a bus that might be carrying patrons from Warrnambool, one of the designated areas, or the Melbourne CBD, another designated area, to a sporting event at the MCG or Etihad Stadium or to a live show in the CBD. If people bring their drinks on such a bus for a trip to or from Melbourne, would that be considered a party bus under this legislation? I seek the minister’s advice on that, because we do not want to inadvertently catch those people when we are really trying to catch the people who are involved in real party bus activities, which should be controlled and which we on this side of the house say should have been controlled several years ago.

There is wider concern in the community, particularly in country communities, that the government’s whole approach to liquor licensing is flawed, ad hoc and not consistent with its stated policy of a risk-based licensing system. Many responsible country hotels and clubs are facing massive increases in liquor licence fees when there is no evidence that they are contributing to alcohol-fuelled violence. I will give a couple of examples of correspondence we have recently received.

Allan McMillan from the Dartmoor Bowling Club sent an email that says:

I am writing as secretary of the Dartmoor Bowling Club ... on instruction from the club committee to protest against the huge increase in proposed fees for renewal of our limited renewable liquor licence from \$90 to \$397. As we are a very small club (19 men and 10 ladies) this is a huge impost ...

Mr Trezise — On a point of order, Acting Speaker, this is completely irrelevant to the bill at hand, the party bus bill, and I ask you to bring the member back to the bill that we are debating.

The ACTING SPEAKER (Mr Ingram) — Order! As I have heard points of order by members of the opposition about previous speakers along similar lines, I will ask the member for South-West Coast to keep his comments to the bill.

Dr NAPHTHINE — I am speaking on the bill, with regard to the liquor licensing approach of this government, which is more concerned about raising \$20 million of revenue than dealing with alcohol-fuelled violence. I urge the government to adopt the coalition system of rewarding good operators under the five-star rating system with lower fees and penalising problem venues with a demerit point system.

We support the concept of having controls on party buses. The minister got it wrong two years ago: we are not sure that he has got it absolutely right this time. Is it any wonder that groups like the Pirates — the Port Fairy Cricket Club — are complaining about the fact that they are going to be charged the same licence fees as a large club which operates from 10.00 a.m. until 11.00 p.m. daily, when they trade for only 11 hours a week? In a letter the club says:

The new charges are likely to disadvantage small country football and cricket clubs. The fee should be based on trading hours or there should be a reduction in cost for limited licences.

This is what is happening under this government.

Mr Trezise — Again on a point of order, Acting Speaker, you were stringent with the member for Bentleigh, and I ask you to bring the member for South-West Coast back to the bill.

Dr NAPHTHINE — On the point of order, Acting Speaker, the member for Geelong spoke about plastic and glass drink containers in Geelong. He went well outside the bill, and now he is being hypocritical in calling other members on a point of order. I finish my contribution.

Ms GREEN (Yan Yean) — I am pleased to join the debate on the Liquor Control Reform Amendment (Party Buses) Bill. The proposal in the bill before the house is consistent with the government's approach in tackling the difficulties and bad behaviour around alcohol-fuelled violence, which is not occurring just in the city of Melbourne and in country Victoria but regrettably is a national and international problem.

It is a problem that this government takes very seriously, and it has proposed a number of legislative changes and increases to police powers, such as banning notices and increased search powers. We take this issue extremely seriously, and the bill before the house is consistent with that approach.

There are a number of sporting clubs in my community which operate buses to allow their members to travel between venues and to drink responsibly. The bill will allow them to continue to do that. I am the mother of some young men who, like a lot of other people in their age group, go out into the city of Melbourne, and a number of licensed operators in Melbourne have told me that they have concerns about the operators of some party buses because they believe they are not all scrupulous about the responsible serving of alcohol.

The bill is consistent with the government's approach of tackling all the causes of problem behaviour in the Melbourne central business district. A number of actions that have been taken by the government should send a message to the community that we take this issue seriously, and that includes every person who is serving liquor, whether in a fixed venue, in a hotel, in a bar, or on a party bus. It is a responsible thing for people who are going to have a drink to get on a bus, but we need to make sure that there will not be excessive drinking and antisocial behaviour in that action.

Honourable members interjecting.

Ms GREEN — I support the bill. I will not respond to the interjections from members on the other side of the house. I think they may well have been in the bar earlier in the evening, which is why they are interjecting on this matter. I wish the bill a speedy passage.

Mr MORRIS (Mornington) — I am pleased to support some legislation which will effectively regulate party buses. I am delighted to support it, because this is the second time around. The Liquor Control Reform Amendment Bill of 2007 did not quite cut the mustard in terms of party buses. We had the spectacle of the minister himself moving amendment 14 from the Council to cut out clause 22 of the bill, which sought to regulate party buses. That occurred because there were genuine concerns from clubs across the state — and rightly so. Had the bill passed into law, members of every Probus club, Rotary club, Inner Wheel club, Country Women's Association, bowling club, croquet club and all those sorts of clubs who decided to come into the city for a theatre night and have a glass of

champagne on the bus on the way in may well have found themselves on the wrong side of the law.

Clearly that was not going to work. Those sorts of clubs are generally made up of good and responsible citizens. They are certainly not responsible for the plague of drunkenness and alcohol-fuelled violence we have seen across the state, and they are certainly not responsible for the bashings, kickings and beatings we are seeing far too often on Melbourne's streets and indeed on the streets of towns across the state. They are not responsible for any of that, but they were fairly and squarely in the frame when it came to that bill.

This time the government has got slightly closer to the mark, and we have legislation before us that is reasonable. It is worth saying that when the minister moved the amendment that took clause 22 out of the original bill he foreshadowed revisiting the matter. He indicated that the director of liquor licensing was very keen to have additional powers to deal with the problem. It is just a shame that it has taken more than two years to get here.

The other point I would make is that this bill bears a remarkable resemblance to the propositions put forward by the opposition in 2007. I would also say it appears to have had considerable input from the director of liquor licensing, because it is a far more sensible and practical approach than the minister's first effort.

It is certainly a very urgent piece of legislation. Party buses have been a significant problem on the peninsula for some years; more, I must say, in the Frankston portion of the peninsula than in Mornington, but of course they do attract custom from those parts of the world. It is anecdotal evidence, I know, but it has frequently been suggested to me that these buses provide a convenient platform for pre-loading. If anybody does not know what pre-loading is, it is the habit of getting absolutely smashed before you go into a club — so I am told, I should say! I was going to go on to say, and I probably should make the point, that I am told this is because of the cost of drinks in nightclubs. While I have been into nightclubs recently on committee duties, it is many years since I bought a drink at a nightclub.

Party buses have also become a convenient platform for under-18s to get a few drinks into them before they have a night out. They have certainly been associated with a series of ugly incidents. I have had a number of concerned parents contact me or come into the office to talk about unsavoury incidents involving kids getting beaten up, or even being dumped on street corners in order to avoid further friction — often kids who had

absolutely no connection with problems on the bus. These buses are a problem.

This mechanism is both simple and practical. Basically it is the insertion of an extra provision — proposed section 113A — which provides a sensible definition, and a sensible set of rules particularly the 8.00 p.m. to 5.00 a.m. rule, and the application of designated areas picking up the central business district, Geelong, Ballarat, Bendigo, Traralgon, Warrnambool and the more active metropolitan centres. In this form the bill is certainly worthy of support, and I think it will go some way towards placing a regulatory framework around these operations so that when things get out of hand they can be dealt with and dealt with effectively.

Ms DUNCAN (Macedon) — I rise in support of the Liquor Control Reform Amendment (Party Buses) Bill 2009. I was glad to hear the previous speaker state that he is supporting the bill, because with the sorts of interjections we heard earlier it is often difficult to tell whether the opposition supports these sorts of bills or not. Needless to say I am supporting the bill, and I commend the government for its ongoing reform and its efforts to reduce alcohol-fuelled violence in our community, which is a problem and has been a problem for many years. Obviously it continues to be a problem in inner city nightclub areas and in other areas across the state.

This bill is part of a package of reforms that this government has introduced to try to limit the unacceptable outcomes of this sort of alcohol abuse. In particular this bill targets those party buses that have traditionally allowed people on with alcohol. Some are licensed but many do not require licences because they are not actually providing the alcohol — patrons coming onto the bus bring their own. This bill picks up those sorts of buses. Many years ago I had a friend whose job it was to try to supervise people on these buses, to get them into a nightclub for a period of time — half an hour or an hour or so — and then to try to get them out again and back on the bus for the next stop on their tour of nightclubs around Melbourne. This bill would specifically target those sorts of buses while at the same time excluding community buses — wine tours, for example — where we know there are not the same issues related to the operations of those bus services. It targets those services which are creating problems and which often create antisocial behaviour amongst people getting on and off them.

The other point I will quickly touch on is the fact that the bill provides for an exemption from the offence of permitting a drunk or disorderly person to be on premises — in this case, on board a party bus. This will

allow party bus operators to permit drunk and disorderly patrons to remain on board the bus. It recognises the fact that it is often inappropriate and unsafe for the drunk person, and potentially for the community, to remove them from the bus. This will allow party bus operators to ensure the safety of the disorderly or drunk person and to act in a way that may limit the risk of antisocial behaviour.

This bill targets the areas we want it to target. It is an ongoing process for this government to try to tackle these issues. This is not just an issue for this government, although the opposition would like to suggest that it does not exist anywhere else in the world and it is only a problem for this government. It is a problem worldwide and across Australia. All governments are seeking to tackle it. It was a problem when I was a teenager and it is a problem today. This bill represents another step in the government's progression of measures to ensure that it does as much as it can to reduce the incidence of alcohol-fuelled violence in our community. I commend the bill to the house.

Mr CRISP (Mildura) — I rise to make a contribution to the debate on the Liquor Control Reform Amendment (Party Buses) Bill 2009. The Nationals in coalition are supporting this bill. Its purpose is to amend the Liquor Control Reform Act 1998 to regulate the supply and consumption of liquor on party buses.

There are a number of provisions in the bill. Principally the bill requires that an operator of a party bus as defined must not allow any liquor to be consumed on the party bus in the prescribed circumstances unless a liquor licence or BYO permit is in force. Failure to observe that requirement attracts a fairly serious penalty.

But these buses do form a part of tourism, and I would like to reinforce what the member for South-West Coast said in his contribution: there is a concern for country people who come to Melbourne on buses and about what would constitute a tour bus coming from a country area into a designated area. I think this needs clarification. These trips are very special for country people, and we would not want any complications or any confusion for them. There needs to be some clarification of this arriving at and departing from a designated area.

BYO licences are probably the least expensive form of licence. However, with the recent reforms that have gone through they have become significantly more expensive, and that is something we have heard

comment about already in this debate. By adding to that expense you are adding to the cost for country people to be involved in coming to the city for special occasions. Those licence fee rises have been significant. This is complicating people's approach to this and creating confusion about whether they will be inadvertently in breach of the law because of concerns over cost.

This legislation is also important for tourism, as food and wine tours are important. This is not just about taking country people from one venue to another for partying; it could be a part of a tour that visits certain locations. We do not want to catch out or make it too difficult or more expensive for this to occur.

The definitions have been laid out quite clearly. Some of the conditions are clearly laid out in this legislation. Legislation in this regard has been long overdue. This area has been in contention for over two years now, and it has taken the government this long to tidy it up, especially since it now means this legislation is around at the peak of the season with Christmas parties and other functions under way.

However, with those comments, particularly the comments about the importance of the country tourism, The Nationals are not opposing this bill.

Mr LIM (Clayton) — I welcome this bill as it is a very important measure in dealing with alcohol-fuelled violence in entertainment areas such as nightclubs. There is nothing wrong with a night out on the town with mates and drinking in moderation. Indeed one would have thought taking a bus rather than your own car when out on the town for the night, especially when alcohol is involved, was the right move, but there are some yobs who are so stupid, so obnoxious, so selfish and so drunk that they will find a way to spoil the party.

The incident that led to this bill occurred in August when a drunk yob at a buck's party on a party bus left a police officer with a broken jaw. As a government and a Parliament we have an obligation to protect those who protect us. We also have an obligation to protect the general public, including those who enjoy going clubbing without causing harm to themselves or offence to others.

The bill does not affect other types of bus trips such as winery and shopping tours. It targets those party buses in entertainment precincts where some of the participants not only engage in binge drinking but then go looking for trouble. On many of these party buses the operators do not supply alcohol but the passengers themselves bring alcohol on board and consume it on the bus.

The bill targets this area by amending the Liquor Control Reform Amendment Act 1998 and creating a new power for the director of liquor licensing to issue a BYO permit in respect of a party bus. The bill also makes changes to the offence provisions of the act in respect of a party bus operator. The effect of this amendment is that the operator of a party bus will be subject to existing regulatory controls, whether in respect of a licence or BYO permit, including various existing offence provisions.

A new offence is created of a party bus operator permitting liquor to be consumed on the party bus in proscribed circumstances, attracting a maximum penalty of 50 penalty units. A party bus in respect of which a licence or BYO permit applies will be deemed a public place for the purposes of the Summary Offences Act 1966. Consequently, a drunk or disorderly passenger aboard a party bus will still be liable under that act.

This bill is a measured response to binge drinking on party buses, particularly in the entertainment precincts. I commend the bill to the house.

Dr SYKES (Benalla) — I rise to make a brief contribution to the debate on the Liquor Control Reform Amendment (Party Buses) Bill 2009. I apologise to the member for Evelyn for getting the jump on her. I would also have to say that I will find it difficult to weave in my catchcry ‘Plug the pipe!’ without anyone knowing!

Let us put this bill in context. It is about the responsible consumption of alcohol and responsible behaviour in general. It is in the context of a number of measures that need to be put in place. Liquor accords work very well in some local communities, particularly, for example, in the Mansfield community where the various establishments work together. Equally we had the situation of the government attempting to introduce a risk-based fee structure to reflect accurately the risks associated with, I guess, the irresponsible service of alcohol. As the Minister for Consumer Affairs, who is at the table, would acknowledge, the system that has been put in place needs some refinement. But to the minister’s credit he at least is listening to the concerns that are out there — a fine minister!

Mr Burgess — That’s enough, Bill!

Dr SYKES — Sorry! I will go no further in praising the fine minister.

At the end of the day it is my view and the view of many people that responsibility for the responsible consumption of alcohol rests with the individual and

the friends of that individual. If we look at the application of this legislation to party buses — and we have had a number of commentaries on what constitutes a party bus — I reflect on my experience. I remember the Shepparton Football Club took a bus trip after winning a premiership. Listen to this, Minister. We won the premiership in 1972. Our bus trip was to Sydney — a 700-kilometre trip. We had some alcohol on board and within the first 40 kilometres we needed one of those stops to look at what was growing on the side of the road!

But interestingly, even though that group of so-called young bucks was on the bus for 11, 12 or 13 hours and consumed a fair quantity of alcohol, there was not one ounce of trouble. Why is that so? It is because those young bucks still took responsibility for their actions and there was a culture in the Shepparton Football Club that said, ‘You do not step out of line’. Regrettably, and for a range of reasons, those fundamentals of responsibility for your actions and a culture of respecting others and respecting property have been lost.

To look at a more recent example, last weekend a party bus visited north-east Victoria. I see that one of the passengers on that party bus just entered the chamber. On the bus were a number of staff of this Parliament — I think their names are Tony, David, Baron, Trevor, Jeremy and Warren — and they had a wonderful time touring the wine and food premises of north-east Victoria and mixing it with a bit of Ned Kelly heritage, but they were responsible.

Mr Burgess — Rubbish!

Dr SYKES — That is what they told me. Interestingly, their vehicle would not have met the definition of ‘party bus’ anyway, because I am told there were just 6 seats on the bus, not 10 or more as required by the legislation. So there are party buses and there are party buses.

The definitions in this amending bill reflect the proposition put by the Liberal Party two years ago. I commend the member for Malvern, who has just entered the house, on an excellent presentation of the case from this side of the Parliament. He made the point once, twice or — probably — three times that it was our good idea the government eventually picked up when it thought a sufficient amount of time had elapsed for it to call it the government’s good idea.

The exemptions to be incorporated into the legislation that make good sense include an exemption for community buses. I note that the absence of community

buses is a significant issue in much of country Victoria. As I understand it, another exemption is the so-called 'courtesy buses' that take patrons home from clubs and hotels. It is pleasing they have been exempted, because small hotels in my area, such as the Thoona and Goorambat hotels, and clubs, such as the Benalla Bowls Club and the Benalla Golf Club, are all struggling to make a dollar. They are all struggling with the massive liquor licensing fee hike, but it is pleasing that they have not been stung again and will not be hurting on this issue.

With those few remarks, I commend the Liberal Party for having come up with this proposition a number of years ago.

Mr Robinson interjected.

Dr SYKES — In response to the interjections from the minister at the table, I commend the minister on having seen the wisdom of picking up the initiative of the Liberal Party. To use the jargon, I wish the bill a speedy passage.

Mr SCOTT (Preston) — It gives me great pleasure to support the Liquor Control Reform Amendment (Party Buses) Bill 2009, which amends the Liquor Control Reform Act 1998. As has been mentioned by previous speakers, currently party buses that supply alcohol are required to have liquor licences, but there are many party buses that do not supply alcohol but have alcohol brought onto them by passengers, who then consume it on the bus or in the community immediately after alighting from the bus.

The bill takes action to regulate party buses without impacting heavily on other bus services that are critical to tourism and are not related to dangerous alcohol abuse. Like other speakers, I will touch upon the important role that community transport and particularly buses provide not only in terms of tourism but also in terms of community groups, community activities and social clubs. For instance, I am aware of Italian pensioner groups and groups from other parts of the community who attend dinners and lunches that involve the consumption of alcohol. It is not the intention of this bill to cover such activities. It is very wise that they are not covered by the purview of the bill, because those social and community activities play a critical role in our community, ensuring that the building of social capital and the links between people are beneficial not just for the persons themselves but also for the entire community.

The bill focuses on party buses, such as those that provide nightclub tours to licensed venues. In terms of

how the bill it operates, proposed subsection 113A(3) refers to a party bus that:

- (a) is operating on or after 8 p.m. on a particular day and before 5 a.m. on the following day; and (b) is operating —
 - (i) in a designated area; or
 - (ii) for the purpose of carrying passengers travelling to or from or visiting a designated area.

A designated area is an area that has been declared by the director of liquor licensing. As mentioned in the second-reading speech, designated areas include such key entertainment precincts as the Melbourne central business district; Fitzroy Street, St Kilda; and Brunswick Street, Fitzroy. Clearly this is an attempt to cover persons who are engaging in alcohol-focused activities. In our community there is a requirement to regulate such activities for the protection of both the persons engaged in those activities and the community more broadly.

The bill will require these nightclub-tour party buses to have a BYO liquor permit. The scope of the bill is limited. It has clearly been designed to tackle those commercial activities. As has been said previously, the bill defines a party bus as:

... a bus that is operated for hire or reward —

that is, commercial activities, not community groups and not persons seeking to socialise with others on a not-for-profit basis —

for the carriage of passengers on the basis that the bus is pre-booked for those passengers but does not include —

- (a) a bus operated by or for a community and private bus service; or
- (b) a bus hired by or for a group of passengers who provide their own driver.

So clearly this is a limited definition. It is a reasonable thing in our society, and it does not impinge on important social activities.

I will keep my contribution brief as I understand we intend to adjourn the debate on the bill fairly soon, so I will allow others the opportunity to speak. I think this is an excellent bill, which will provide greater protection not only for those riding on party buses but also for the community more broadly. I commend the bill to the house.

Mrs FYFFE (Evelyn) — I am pleased to speak on the Liquor Control Reform Amendment (Party Buses) Bill 2009. The purpose of the bill is to amend the

Liquor Control Reform Act 1998 in relation to the supply and consumption of liquor on party buses.

My husband was in for dinner a little while ago, and we were talking about when we opened our restaurant at Yarra Junction in 1978 and how in those days the laws regarding the consumption of alcohol on buses was very strict, as liquor laws were then, and how they have evolved. I remember that Peter Janson was taking groups around in London double-decker buses, and he was fined because champagne was served on the buses as they meandered along the Warburton Highway. The local licensing police used to make it a habit to stop them on Friday and Saturday nights.

In fact the minister's brother brought many tour groups up to our restaurant and we had a great working relationship. He operated a good company called Link Tours. We used to have many conversations about the groups that we had, and there were a lot of funny stories, many of which I cannot share with members here. One that David and I were reminiscing about tonight involved a particular group that came up on a Friday afternoon for a Christmas party. It was a group of businessmen who had hired a double-decker bus to bring them up. They called and asked whether they could bring their own waitresses. Of course I said that was fine because it meant I could cut back on staff a little. On the way up they had obviously consumed copious amounts of alcohol, served by the beautiful waitresses. The only thing they had not informed us of was that they were topless waitresses on this double-decker bus.

The gentlemen peeled off the bus and came into the kitchen — these were the days before mobile phones — to use the phones and we heard conversations such as, 'Darling, don't pick me up; I'll get a taxi because I'm not sure what time we are going to get back'. They were concerned about the waitresses still being in that state of undress on the bus. It was an interesting afternoon. I had never seen my husband work so hard in the restaurant and spend so many hours waiting in the restaurant.

Mr Kotsiras — Do you want to go down that path?

Mrs FYFFE — The member for Bulleen would be interested to know how laws change and evolve with time. In those days it was absolutely verboten to have even one glass of champagne while you were travelling on public transport, and the liquor licensing police would wait for the buses coming up the valley to us and the Fergussons to book people for the serving of alcohol. Here we are now regulating even BYO permits to serve alcohol on these buses.

It is a reasonable expectation of people in Australia to live the lives they want to, which includes being able to have fun. We are told a glass of red is good for you. Alcohol is not just beneficial for our health but two standard drinks are okay for a good time. However, obviously there are people who cannot stop at those two standard drinks. The problem is that for each glass consumed in excess we have all the problems that are around.

The party buses were highlighted in April after a teenage girl's party on a bus ended in a drunken brawl and a stabbing outside Kittens nightclub. This was followed by an event in August when a 22-year-old man, who regretfully lives in Lilydale, was on a party bus for a bucks night and, after having too much to drink, was charged with bashing a police officer. There have been problems and we need to have some control over them.

I have one concern that there is no control that I can see on the amount of alcohol that people can consume. The second concern I have is that the hours of operation are 8.00 p.m. to 5.00 a.m. I wonder whether 5.00 a.m. is too late, because that is a lot of drinking time. People will be getting off the buses at 5.00 a.m. when others are on the roads going to work and they will be in no fit state to drive because they have been drinking all night.

In the Yarra Valley we have a vibrant tourism industry, and from my office we often see the coaches travelling to one of our many wonderful vineyards and boutique wineries for tastings. I am pleased that the winery, shopping, sporting and social tours will not need to be licensed under this bill as they are not the cause of the problem violence on our streets.

I would like to highlight that I have concerns that the hours of operation are from 8.00 p.m. to 5.00 a.m., which is a lot of drinking time, and I wonder what will happen to those people when they get off the bus — how they will get home and whether they will get into cars and drive. I am also concerned about the volume of alcohol that can be consumed on these buses. We have responsible serving of alcohol rules. I understand other members want to speak on this bill, but I know these are serious concerns, having worked in the hospitality industry for a number of years and having seen the effect that alcohol has on people.

Mr HOWARD (Ballarat East) — I am also pleased to speak briefly on the Liquor Control Reform Amendment (Party Buses) Bill, which we know to be subtitled the 'party buses bill'. Other members have already outlined the general issues associated with the bill and have identified the need to regulate the area of

buses transporting people to and from venues, sometimes for a short time and sometimes for a long time, where alcohol is either sold on the bus or brought onto the bus. In the past party buses have not been properly controlled, and now we are bringing this area under the control of the Liquor Control Reform Act and giving the operators the opportunity to apply for BYO or broader liquor control licences.

As we know, the reason for this legislation is the community is becoming more and more aware of antisocial behaviour associated with people drinking and is wanting to bring that under some form of control. There are a lot of ways that we as a government are trying to address that issue. It is not just a government issue; it is a community issue that we need to look at broadly, from parents working with their children to ensure they understand the issues associated with drinking for fun and the antisocial behaviour that might follow on from that through to the government enforcing controls in a range of ways, whether that be through the Liquor Licensing Commission, policing action or other action that can take place.

I am pleased to see in my electorate of Ballarat East that there are a range of activities taking place. Groups have been talking with each other, such as the police working with other groups in the community or within the education area to try to identify how this issue can best be responded to so that our streets can be good, sound places to be throughout the evening and so people can go about their activities and know they will not be impacted on by antisocial behaviour.

I am pleased to support this bill, along with the many others who have spoken before me. I believe this is just one action that we as a government can take to bring under control some of those issues associated with antisocial behaviour and drinking. It will help in getting people to recognise — while alcohol will be consumed in our society and it can be fun and an activity that people as a group can enjoy while going off to somewhere in a bus — the difference between overdoing it and being responsible in the way they operate and that what they do has an impact on others. I am pleased to commend this bill to the house and allow others to have an opportunity to speak on this legislation.

Mr WAKELING (Ferntree Gully) — It gives me pleasure to rise to contribute to the debate on the Liquor Control Reform Amendment (Party Buses) Bill. I would like to firstly congratulate the member for Malvern for his contribution. I state from the outset that during the 1990s I was a regular attendee on party buses. It gave me a good opportunity to see how these

buses operated. On the number of occasions I was on these buses we did not face alcohol-fuelled violence, but it is amazing to see how this situation has changed.

I am pleased to see that the minister has varied the scope of the legislation so it is not going to capture people who utilise buses for a range of social and community activities. Every year members of my bowling club attend a tournament here at Parliament House. I am sure if any of them had happened to open a bottle of champagne, they would have been caught by the legislation, but we are pleased to see that those issues have been fixed.

I have received feedback from a party bus operator who has operated in the system for at least 20 years. He supports the general thrust of the bill but he has raised some general concerns about the industry. He is concerned about the quality of tour operators. He is also concerned about the level of inspections that are going to be undertaken by the inspectorate. He believes a one-off inspection is not going to be adequate, that they will need to be conducted more regularly. There is a concern in the industry that, while the bill sounds good, it will really only provide lip-service. Certainly it may not weed out those operators for whom the provisions are intended.

Reputable operators have concerns about the flashing lights, smoke machines and other things such as the blacking out of windows that distract drivers and give people a power in the sense that they believe that they can drink more because they are not going to be seen by the general public. We support the general thrust of the bill; this is certainly a positive step. However, the industry has concerns, and I believe this legislation may need to be improved further in the future.

Mr KOTSIRAS (Bulleen) — I stand to speak briefly on this bill. Party buses range from 18-seaters through to 60-seat double-deckers catering for any size group. I was concerned and very anxious when my daughter turned 18 and jumped onto one of these party buses. At the time I considered following the bus around to make sure that everything went okay, but I decided not to do that. I support any move to sensibly regulate party buses.

This attempt to regulate party buses is a better effort than the government's previous attempt in the bill of 2007, which contained no definition of party buses, so the provisions applied to all types of buses, including, as the honourable member for Evelyn said, those taking winery trips, Country Women's Association trips and sporting group trips. Naturally that would have caused enormous damage to the industry. As the member for

Malvern said, one has to wonder why it has taken the government two whole years to come up with such legislation, but I applaud the minister and the government for finally coming into this house with legislation that will go some way to ensuring Victorians can enjoy party buses without being confronted by drunks and alcohol.

The main provision of the bill requires that an operator of a party bus must not allow any liquor to be consumed on the party bus in prescribed circumstances unless a liquor licence or BYO permit is in force. However, it is a defence if the operator can show that he or she did not knowingly permit or allow the consumption of liquor on the party bus and the operator had taken visible steps to ensure that liquor was not consumed on the party bus.

Mr Nardella interjected.

Mr KOTSIRAS — The member for Melton has had a bit to drink — maybe he has been on a party bus.

The ACTING SPEAKER (Ms Munt) — Order! Through the Chair.

Mr KOTSIRAS — Today is a very important day for the member for Melton: his IQ exceeded his age!

I support this legislation. It is about time it was introduced. It is unfortunate that it has taken the government two years to bring the legislation before the house, and I support the member for Malvern's contribution and advice.

Mr DELAHUNTY (Lowan) — I want to speak briefly on this bill, not only as the member for Lowan but also in my role as shadow minister for youth affairs. The purpose of the bill is to amend the Liquor Control Reform Act 1998 in relation to the supply and consumption of liquor on party buses. As was explained by the member for Malvern, the government has taken two years to bring this bill into this place. I am glad that the opposition is supporting these changes. The reality is that the legislation is well overdue.

This bill will not prohibit the consumption of alcohol on party buses but will ensure that party buses are subject to the full range of regulatory controls under the act, and it is not before time. Private bus services, which exist in my area, such as those operated by community or sporting clubs or where the persons hire a bus and provide their own driver, will not be impacted by the new regulations. Many sporting and cultural groups in my area would have been very concerned with the intention of the original version of the bill. There are no designated areas in my electorate; the

closest would be in Ballarat or Warrnambool. Because of all the unfortunate problems with alcohol-fuelled violence and drugs, which are also impacting on this type of behaviour, I say that this is a good bill and I strongly support it.

Mr ROBINSON (Minister for Consumer Affairs) — It has been a very wide-ranging debate, although when the member for Evelyn got to her feet it became a little bit too wide-ranging. I will relay to my brother her recollections of topless waitresses on buses, and he will surely tell me that I need to remind the member of that old adage that what happens on the bus should stay on the bus! She should not have told us about that. Nevertheless, it has been a wide-ranging debate.

Party buses create problems. There are three key problems with party buses: the on-board behaviour of patrons, especially when they have been consuming excessive amounts of alcohol; the behaviour of those patrons as they move from the buses to different venues, sometimes encountering other party bus patron groups; and the behaviour of party bus patrons in venues. Those are the three key concerns that emerge from this part of our licensed industry, including in relation to activities associated with licensed premises.

We welcome the opposition's support, and that is important. Today we seem to have had the prospect of an outbreak of common sense from the opposition, and it is greatly welcomed. We saw an outbreak of that this morning in the Legislative Council, for which I put on the record my acknowledgement of the work that the shadow minister has done, and that is a good thing.

There has been a fixation in this debate on what happened in 2007. It is a matter of record that the government was very firmly of the view that we could have tackled this problem in 2007. We offered a pathway; that pathway was rejected. At the time a number of propositions were advanced by the government and some were actually accepted. They were accepted because at that point in the history of this Parliament The Nationals were not formally in coalition with the Liberal Party, and we were able to extract from The Nationals some reason and some common sense, and that was a very good thing. We were able to make valuable progress. Of course, what happened shortly after that was that the Liberal Party and The Nationals struck a coalition, and that has been quite unfortunate.

I will return the compliment to the member for Benalla, because at times we get that brief window of common sense from members of The Nationals. However I am sad to say that through the period since they

reformulated their coalition agreement we have not seen much of that — so much so that the new federal leader of the Liberal Party, Tony Abbott, refers to members of The Nationals as ‘country Liberals’. I know that the member for Benalla would want to take the new federal leader to task for that.

Since late 2007 the government has looked at a whole range of ways in which effective controls could be achieved. The member for South-West Coast raised one set of circumstances and we have had to look at how to deal with that set of circumstances. The position we arrived at is based on the idea that the activity we are trying to capture can best be captured by BYO permits. This, to take the point the member for South-West Coast advanced, could best be explained in the sense that some buses that serve alcohol are currently licensed and the case the member advanced was one in which a bus operator would already have a licence. A bus operator starting up that sort of service to bring people to town and offer or serve them a drink on the bus would seek a liquor licence, and that would be an appropriate measure.

What we are trying to tackle in this bill is the circumstance where people bring alcohol on board a bus. People bring their own alcohol — alcohol is not actually served to them — and in that circumstance a BYO permit is the most appropriate treatment. A BYO permit opens up the possibility or the prospect of those bus operators being brought into a regulatory scheme which then allows conditions to be attached, and that is really the key: to have conditions on those BYO permits.

The member for Evelyn talked about alcohol consumption and other matters. It is usually by virtue of the conditions associated with a permit that those matters could be dealt with and could be dealt with adequately by the director in issuing the permit.

Similarly, with the hours of operation from 8.00 p.m. to 5.00 a.m. It is not the expectation that all commercial party bus operators would be operating trips from 8.00 p.m. to 5.00 a.m., but those hours have been selected because it is within those hours that party bus commercial operators typically operate: from 8.00 p.m. for a few hours or much later through to 5.00 a.m. That will capture almost all, if not all, the party bus operators who are causing difficulties at the moment.

This is good legislation. We welcome the fact that the opposition has seen fit to support the legislation. We had the opportunity in 2007, and we regret that it was not taken up at the time, but this legislation is now before the house. It is good legislation. It complements

a whole range of activity that the government has been involved with — banning notices; police infringement activity, which was up 40 per cent; the compliance directorate, which has made some 8000 visits in the last 10 or 12 weeks; the warning notices that the compliance directorate has put out; the criminal investigations commenced; the disqualifications of licensees and licensee companies, of which there have been about 20 this year for a cumulative total now of over 100 individuals or entities subject to disqualifications; the promotional powers of the director of liquor licensing used to great effect some 20 times; and the late-night licence freeze, which will continue through until at least the end of 2011. All of that was before the risk-based fee structure was announced.

This is good legislation, it will complement those measures very well, and I wish the bill a speedy passage.

Motion agreed to.

Read second time.

Consideration in detail

Clauses 1 to 7 agreed to.

Clause 8

Mr ROBINSON (Minister for Consumer Affairs) — I move:

1. Clause 8, line 2, omit “After” and insert “(1) After”.
2. Clause 8, after line 5 insert —

“(2) In section 141 of the Principal Act —

(a) in subsection (1AA) for “(2)(m)” **substitute** “(2)(fc), (m)”;

(b) after subsection (2)(fb) **insert** —

“(fc) section 113A(1) (consumption of liquor on party buses);”.

These are technical amendments to ensure that the relevant offence can be enforced by an infringement notice, noting that offences of infringement apply at the lower range.

Amendments agreed to; amended clause agreed to; clauses 9 to 10 agreed to.

Bill agreed to with amendments.

Third reading

Motion agreed to.

Read third time.

**TRANSPORT LEGISLATION
AMENDMENT (HOON BOATING AND
OTHER AMENDMENTS) BILL**

Council's amendments

Returned from Council with message relating to amendments.

Ordered to be considered next day.

**JUSTICE LEGISLATION
MISCELLANEOUS AMENDMENTS BILL**

Council's amendment

Message from Council relating to following amendment considered:

Clause 2, line 20, after "Part 2" insert "(except sections 3, 4 and 5)".

Mr CAMERON (Minister for Police and Emergency Services) — I move:

That the amendment be agreed to.

Mr McINTOSH (Kew) — Very briefly in relation to this matter, essentially all this amendment does is change the date of commencement of one part of the bill that deals with the collection of audiovisual information by law enforcement agencies, including Victoria Police. It appears the only hold-up is that fisheries officers are unable to implement it in a time frame if the bill were to come into operation on proclamation. This amendment provides for that to occur either on the date of proclamation or, at the latest, November next year.

I raise a matter that the minister may seek to address in summing up, which is some confusion that may exist between Mr Tee in another place and the minister. During Mr Tee's contribution about the amending provisions of the bill in relation to the audiovisual capture data he said:

It will provide that these provisions commence on a day or days to be proclaimed or 1 November 2010, whichever is the latest.

However, the minister said in his later contribution to the debate that the provisions will now commence on a day to be proclaimed or 1 November 2010 at the latest. I was just wondering whether he could clarify that for the benefit of the house.

Mr CAMERON (Minister for Police and Emergency Services) — By leave, the situation is, as the honourable member set out in the initial part of his contribution, that the commencement date is to be the earlier date.

Motion agreed to.

**VALUATION OF LAND AMENDMENT
BILL**

Council's amendments

Message from Council relating to following amendments considered:

1. Clause 10, page 13, line 6, after "the valuation record" insert "and that is releasable information".
2. Clause 10, page 13, line 6, after this line insert —
 "(2) The valuer-general must not make available to the public information in the valuation record that is not releasable information."
3. Clause 10, page 13, line 7, omit "(2)" and insert "(3)".
4. Clause 10, page 13, line 7, omit "section," and insert "section —".
5. Clause 10, page 13, line 9, omit "2000." and insert "2000;"
6. Clause 10, page 13, line 9, after this line insert —
 "releasable information means —
 (a) the net annual value, the site value and the capital improved value for each property recorded in the valuation record, where that value has been determined in the relevant valuation specified in section 7C(1);
 (b) a property description for each property recorded in the valuation record."

Mr BATCHELOR (Minister for Community Development) — I move:

That the amendments be agreed to.

In doing so I would like to make some brief comments. As members would be aware, the Valuation of Land Amendment Bill 2009 was passed by the Assembly in September and in the Legislative Council on

27 November. On that date it was passed with amendments, which we are considering tonight.

The Valuation of Land Amendment Bill progresses amendments that make the valuer-general the custodian of statewide valuation data. It also allows the valuer-general to disseminate valuation data for public policy and community purposes. The bill makes the valuer-general the central source for statewide valuation data. The bill allows the valuer-general to release some valuation data in accordance with the information privacy principles contained within the Information Privacy Act 2000.

The Property Council of Australia had concerns in relation to the possible release of confidential source data used to determine accurate valuations. The property council was concerned about the privacy of landlords and tenants if such information was released, as the property council argued that the identities could be deduced from source information.

It is important to understand that valuers require confidential source data to determine accurate valuations. This source data may include property-related information such as business turnover, tenancy and leasehold data. Section 3A of the Valuation of Land Act 1960 provides valuers with a range of powers to enable them to obtain source information from tenants and landlords. These provisions also require valuers to keep source information confidential. The bill does not change these provisions.

The valuer-general never intended nor was the valuer-general able to release confidential source data provided by property owners and tenants. However, the valuer-general also recognises that it is important for the property industry to have certainty, and the safeguards that are currently in place will not change in the future.

This brings us to the house amendment that was agreed to in the Legislative Council. This house amendment confirms that the valuer-general is only able to release the following data from the valuation: the capital improved value, the net annual value, the site value and a property description.

Members can see that if the house accepts this amendment — and I certainly hope it will — it will provide an answer to the concerns, albeit not necessarily well founded, of the Property Council of Australia. The government and the upper house were concerned that this lack of support from the property council would jeopardise the wider release of the valuation data for community and public purposes.

Accordingly, to provide certainty to all those interested in receiving accurate property information, the government is supporting these amendments.

Ms WOOLDRIDGE (Doncaster) — I am pleased to say that the coalition will be supporting the amendments to the Valuation of Land Amendment Bill 2009. I have to say we are here debating these amendments because of the good work of David Davis in the other place, with the support of the minor parties, in ensuring that the privacy concerns of the Property Council of Australia were reflected in the bill. This was achieved by ensuring that a pause was available in the consideration of the bill in the other place to allow the government the time to negotiate with the property council and develop amendments that would address the concerns that it had.

As the minister has outlined, the bill allows the valuer-general a number of new powers enabling valuers to collect, store and make publicly available certain valuation information under the bill. In the case of premises with retail tenants, the information used by valuers for the purpose of making capital improved valuations regularly includes particularly sensitive financial information collected by the landlords.

In considering the original bill the property council said in a letter to David Davis:

The ability of the general public to search the valuation record could in a number of instances entirely negate the de-identification process.

In its present form, the bill does not provide appropriate safeguards to prevent the confidential information referred to above from being inappropriately viewed and circulated by the general public.

That is why these amendments are before us tonight. The amendments provide for information that is made available for release to be defined and narrowed to a set of criteria which the minister outlined earlier. The amendments narrow what information can be provided and solve the privacy issues the property council had.

At that time the government said these amendments were not needed, and I have to say we had pretty grudging support for these amendments from the minister when introducing them into this house. However, opposition members strongly support these amendments and supported the concerns of the property council, and we had the support of the minor parties in that process. We are very pleased that what the Minister for Environment and Climate Change described as a belt-and-braces approach has addressed the concerns of the property council. Accordingly we will be supporting these amendments.

Motion agreed to.**Remaining business postponed on motion of Mr BATCHELOR (Minister for Community Development).****ADJOURNMENT**

The DEPUTY SPEAKER — Order! The question is:

That the house do now adjourn.

Bushfires: Gippsland

Mr BLACKWOOD (Narracan) — I raise a matter for the attention of the Minister for Agriculture. The action I seek is for the minister to provide more support to bushfire-affected farmers in the Labertouche, Drouin West and Jindivick areas. The Bunyip Ridge fire on 7 February affected a great number of families. If before the fires somebody had asked me what would be the worst thing that could happen if a bushfire swept through our area, naturally I would have said it would be to lose your life or that of a loved one. I would have said losing your home would be the second-worst event.

It has become very clear that the second-worst problem many people are facing is the loss of their business. If they had lost their homes, they would have received enormous support from the bushfire relief appeal fund — in many cases \$90 000 plus a number of smaller grants from government agencies and the Gippsland Emergency Relief Fund. If you lost your business or were not able to continue to operate your business, you would have no income and therefore be at risk of losing your home because you would not be able to meet the mortgage payments. The level of support was inadequate, hard to access or in many cases not accessible at all. Many farmers in our area were severely impacted by the fires. Thanks to the many volunteers, fences were reinstated. Eventually the government removed the red tape and some financial assistance was made available from the bushfire relief fund.

The initial financial assistance made available from the Rural Finance Corporation of Victoria was welcomed, but the bulk of it did not get to sharefarmers or farmers leasing their property. In some cases the landowner got the bulk of the assistance, but the business proprietor got very little. This anomaly was difficult for the Rural Finance Corporation to deal with, and consequently some farmers who had difficult landlords were forced to walk away from their businesses.

I met with a number of case managers who were concerned about the inflexibility of the Rural Finance Corporation, especially when legitimate farming businesses were applying for the low-interest loan. To me that presents a very interesting aspect of the attitude of many farmers affected by the fires. They considered the low-interest loan to be the best short-term solution to their problems. That tells me that they were not looking for a handout but rather a hand up and were happy to repay the loan. This says a lot about the great integrity of our farmers, even in the face of enormous adversity.

An example of the difficulties farmers still face occurs among dairy farmers, most of whom receive a milk price that currently does not cover production costs. There is a farmer whom I will not name — he truly exists — and his situation is very serious. He leases his dairy farm and, as a lessee, has not qualified for assistance from the Rural Finance Corporation. He has only received an exceptional hardship payment of \$8000 and a repair and restoration grant of \$2500. His losses total \$173 000, and if he cannot get assistance, his business is in jeopardy. He needs that low-interest loan from rural finance, but has been told he will not qualify.

I call on the Minister for Agriculture to provide more assistance to our fire-affected farmers, in particular the sharefarmers and those who farm leased property. I urge him to look at the guidelines currently being used by rural finance with a view to making them more flexible and able to assist those farmers who are in desperate need.

Volunteers: government support

Ms GREEN (Yan Yean) — I raise a matter for the attention of the Minister for Community Development. I call upon the minister to take action to ensure that the Victorian government supports community organisations to attract, train and retain volunteers.

Since the tragic fires of Black Saturday the fire-ravaged communities in my electorate have been overwhelmed with support from Victorians and Australians wanting to do their utmost to support the recovery of communities afflicted by Australia's worst ever natural disaster. I am pleased the Victorian government has invested in great support for our fantastic emergency services volunteers through a \$3.2 million campaign called Vital, Valued, Victorians. The campaign highlights the extraordinary skills, dedication and community mindedness of our volunteers and recognises the diverse contributions they make throughout the year. The campaign includes TV, print,

radio and online advertising. The Vital, Valued, Victorians volunteers website has attracted more than 12 000 visitors and more than 600 messages supporting volunteers.

However, it is not simply emergency service volunteers who are committed to a volunteer effort to support our community; many others have worked in the recovery effort. Only last Saturday I accompanied more than 50 Young Labor and other community volunteers who lent a hand by working with that great community organisation Fence Aid to assist in refencing bushfire-affected properties.

Felicity and Peter Wiltshire of St Andrews are the epitome of our volunteer workforce. For decades they have worked solidly as Country Fire Authority and Community Fireguard volunteers. Felicity also volunteers as the vice-president of the Diamond Valley Brass Band and for her local church. Tragically on Black Saturday they lost their house and animals and Peter was burnt. Despite their own losses, their efforts saved many lives. Last Saturday more than 50 volunteers from Fence Aid were able to give back to Peter and Felicity and pay them back for their decades of service to their community.

Many volunteers from service clubs such as Rotary, Lions, Community Information Whittlesea and others have put their shoulders to the wheel to assist bushfire-affected families in their recovery efforts. Having been part of the Fence Aid process on Saturday and some months earlier, I have seen the effort it takes to coordinate volunteers, to make sure that they are able to undertake their efforts in a safe manner and come home to their families, and also to make sure that the coordinators are best able to use the skills of those willing volunteers to assist in their important work.

I am immensely proud of the locals and others who have come from far and wide to assist in providing material aid and fencing and many other much-needed tasks since Black Saturday. I urge the minister to continue the Victorian government's support of community organisations to attract, train and retain volunteers in whatever important work they are doing, but particularly the important work of bushfire support.

The DEPUTY SPEAKER — Order! The member cannot ask for a continuation of support. She can ask for action to do something, but not to continue.

Ms GREEN — I seek action!

Great Alpine Road: upgrade

Dr SYKES (Benalla) — I raise a matter for the attention of the Minister for Roads and Ports. I ask him to get on the front foot in upgrading the Great Alpine Road (GAR) to ensure that it is safer for the thousands of additional cyclists who are going to ride through the area in the next year and in future years.

The issue has been raised with me by a variety of individuals and groups, including the Alpine Shire Council — in particular by the shire's mayor, Cr Nino Mautone — but also by the Alpine Region Tourism Board through its chair, John Kroeger, the Harrietville Community Building Initiative Committee, its secretary, Terry Woolley, and Harrietville resident Ronice Goebel.

For those present I will give a little lesson in geography. The Great Alpine Road goes from Wangaratta in north-east Victoria across to Omeo in Gippsland through the beautiful Ovens Valley, including Bright, Harrietville, Mount Hotham up in the high country and Dinner Plain before descending to Omeo. It is an absolutely beautiful area and tourists flock to it, especially cyclists, who enjoy the rail trail. These numbers are set to increase dramatically now that the Bogong High Plains Road has been sealed, which creates a fantastic tourist loop that goes through Mount Hotham, Bright, Mount Beauty, Falls Creek and back through Mount Hotham. There will be several new cycling events in the area as a result of the great work by the Greater Alpine Tourism Board.

The problems with the lack of safety on this road have been identified over several months by Ronice Goebel who has raised it with VicRoads, and its response has been that the issues raised are not of a high priority. More recently the issues have been raised directly with the Minister for Roads and Ports by Terry Woolley. In his letter to me about his approach to the minister, Mr Woolley said:

The letter is self-explanatory and contains disturbing data. It also points to a fundamental inconsistency in government action. You cannot promote (and underfund) road safety on one hand and encourage and fund increased tourism into an area where road safety is seriously compromised, on the other.

This community is really concerned about the issue of road safety of cyclists. Over 5000 cyclists will use the GAR over the next four months. The 100 kph section of the GAR between Bright and —

Harrietville —

is fundamentally unsafe for road users of all kinds, cyclists in particular.

I ask the minister to have the safety status of the Great Alpine Road assessed. If the claims identified by the locals are confirmed, especially in light of the significant increase in usage of the Great Alpine Road, I request that the minister, having assessed these claims, ensures adequate funding is available for an immediate upgrade.

UCI Road Cycling World Championships

Mr TREZISE (Geelong) — I raise a matter on tonight's adjournment debate for the Minister for Sport, Recreation and Youth Affairs. The matter I raise relates to the state government's contribution to the Union Cycliste Internationale (UCI) road cycling world championships to be held in Geelong in 2010. Members will be aware that this government and the Minister for Sport, Recreation and Youth Affairs were intrinsically involved in getting this very prestigious cycling event to the Geelong region. Besides the Tour de France, this event is second to none in professional world cycling. All the top riders from around the world will be competing, with the possibility that Lance Armstrong will ride for the US team. This will be by far the biggest sporting event in Geelong in 2010. Therefore the action I seek is for the minister to ensure that the state government and relevant departments work closely with organisers and the City of Greater Geelong to make the event a complete and resounding success.

As I said, the UCI road cycling world championships are second only to the Tour de France and will therefore provide Geelong and surrounding regions with unprecedented exposure to international television coverage, especially into Europe. In addition it is expected that something like 200 000 spectators will watch the event with many of them coming from overseas, staying in local accommodation and the overflow staying in surrounding areas, including Melbourne. They will also enjoy the hospitality of many local businesses in Geelong and the surrounding regions. In short it will be a real tourist and sporting boon for the Geelong region.

In addition to the spectators there will be the competitors and their support teams. It is estimated that more than 700 elite cyclists will be competing during the event. One can easily see that the world championships are a major international sporting event, one that will showcase Geelong and the greater Geelong region. Therefore there is a necessity for all stakeholders, including the state government and the minister, to work in close collaboration to ensure the success of the event.

This state government is no stranger to working with the City of Greater Geelong and the local community in hosting world championships. We hosted the world surf lifesaving championships in, I think, 2006. Again it was an event that was a great success thanks to the efforts of the state government working in partnership with the City of Greater Geelong and, in that instance, the surf lifesaving federation.

Mr Wells — And the action you wish taken?

Mr TREZISE — I have already raised the action, as the member would know had he listened. The UCI road cycling world championships in 2010 will be a great event and I look forward to the support of the minister and the government for the event.

The DEPUTY SPEAKER — Order! The member for Scoresby should know that I heard the member ask for action. I would pull him up if he did not.

Mr Wells — Asking for support is not an action.

The DEPUTY SPEAKER — Order! No. I call the member for Scoresby to raise his matter.

High Street Road–Mowbray Drive, Wantirna South: safety

Mr WELLS (Scoresby) — I raise a matter of serious concern for the Minister for Roads and Ports. The action I seek is for him to fix the dangerous intersection at High Street Road and Mowbray Drive in Wantirna South, which is located in my electorate. A number of my constituents have contacted me over the last few months about this dangerous intersection and have asked me to raise this matter in Parliament.

This intersection is not controlled and is located only about 900 metres to the east of the entrance to EastLink from High Street Road and about 900 metres to the west of Stud Road.

Traffic has increased along High Street Road, particularly in the morning and evening peaks, since the opening of EastLink, with accidents now occurring on a regular basis. As the intersection is uncontrolled, cars exiting right from Mowbray Drive into High Street Road in an easterly direction have to place themselves in the middle of the intersection awaiting a break in the constant stream of traffic, thereby impeding the vision of vehicles trying to turn right from High Street Road into Mowbray Drive and causing a virtual stand-off and much frustration due to vehicles from both directions being unable to see.

Constituents have advised me that they have witnessed many collisions with vehicles being hit from the side and often ending up on the median strip. The situation is also particularly concerning because of the number of schools in the area, particularly Waverley Christian College and Knox Gardens Primary School. There are students who are continually trying to run from one side of the road to the other and with four lanes it makes it very difficult for them. There is no safe part to cross at that intersection because of the absence of control signals. Whilst at this point I am not asking for signals to be installed, I ask the minister to take immediate action to investigate this dangerous intersection and find out what the options are to make it safe before more serious collisions or, even worse, a fatality occurs.

Berwick Springs Sports Club: pavilion

Ms GRALEY (Narre Warren South) — The matter that I wish to raise tonight is for the attention of the Minister for Sport, Recreation and Youth Affairs and concerns plans to an extension to Berwick Springs Park pavilion. The action I seek is that the minister meet with representatives of the Berwick Springs Sports Club to discuss the extension and the needs of the club. It is a pleasure to visit the sporting clubs in my electorate and witness families enjoying and participating in outdoor activities. I am especially pleased that many of the clubs are continuing to grow, some very quickly. Around two years ago the Casey council built a new pavilion at Berwick Springs Park to accommodate the Berwick Springs Sports Club. The pavilion is now too small and can no longer properly accommodate the growing area and a growing club.

Berwick Springs Sports Club hosts 5 junior football teams, Auskick, 10 junior cricket teams, the Milo program and 7 netball teams. All of these activities are very popular with local families. In addition the pavilion is used by the Berwick Springs residents association and will be used by Hillsmeade Primary School and the new Alkira Secondary College next year. It is great to see a community facility being so well utilised.

After writing to council on the matter, I was advised that council was planning an extension to the pavilion. This is welcome, but any new works on the pavilion need to be done strategically with the projected growth of the area in mind. This is the club's major concern as it feels that proper planning during the original design of the pavilion would have avoided the need for an extension so soon after it was first constructed. The club also has other matters that it wishes to discuss with the minister.

Tom Scully was the Australian Football League's no. 21 draft pick this year. Tom used to play with the Narre Warren Junior Football Club; he went on to play with the Dandenong Stingrays and Haileybury College, captained the Victorian metro team, earning all Australian honours and topping the competition for winning the hard ball. Ryan Bastinac also used to play for the Narre Warren Junior Football Club and is off to North Melbourne as its no. 1 draft pick. He is a classy midfielder and I understand he uses both sides of the body beautifully, which I always admire in a footballer.

Local clubs with good facilities and with great people assisting kids to have a healthy sporting life and some, like Tom and Ryan, even go on to play football at the top level. Supporting grassroots sport is really important, and I know the Brumby government is strongly committed to supporting our local sporting clubs like the Berwick Springs Sports Club and the Narre Warren Junior Football Club. We believe in making an investment in sport at both the local level and the elite level. I refer the house to the MCG renovation and construction of the rectangular stadium. I ask the minister to meet with representatives of the Berwick Springs Sports Club to discuss the pavilion extension and the needs and concerns of the club.

Malvern electorate: noise attenuation

Mr O'BRIEN (Malvern) — It is an honour to have been a member of this place for three years now, but each year has been marked by a plea from me in the adjournment debate for the Minister for Roads and Ports to come to my electorate and visit those families whose lives have been damaged by the excessive road noise they are forced to live with every day of their lives. I reiterate that plea today. I sincerely hope I do not have to go down this path again next year.

The difficulties of many families in my electorate whose day-to-day lives are blighted by road noise, whether it be from Dandenong Road or the Monash Freeway, need to be understood by the Brumby government. I could list the many families who have approached me via email, via written correspondence or in person because of what excessive road noise is doing to them — that is, disrupting their sleep and intruding on and damaging their quality of life — but I would prefer the minister to come to Malvern to meet them for himself, look them in the eye and explain to them why after a decade in office his government has done nothing on this score.

Recently I received a letter from the DeLutiis family in Malvern whose home is near Dandenong Road. In 2005 VicRoads took noise measurements at this family's

home, and it found that the noise measurements there exceeded specified limits and therefore noise attenuation measures were warranted. Four years later nothing has been done.

Between 8 and 13 October 2009 VicRoads took further noise measurements at the DeLutiis family home. Again the noise levels were found to be excessive. I have also had correspondence from a family in nearby Victoria Road South complaining of similar concerns.

The DeLutiis family received a letter from Oliver Lin, the team leader of asset management development at VicRoads, which is dated 13 November 2009 and which notes in part:

The results of the noise measurements taken between 8 October and 13 October 2009 were —

and it gives the decibel levels. Then the letter says:

Noise attenuation measures are considered when noise levels emanating from freeways and eligible arterial roads exceed 68 decibels (A) for 10 per cent of the time between the hours of 6.00 a.m. and midnight in calm conditions.

The DEPUTY SPEAKER — Order! The member for Malvern indicated that he requests the minister to come to Malvern. I am presuming that is the action he is requesting.

Mr O'BRIEN — Yes, that is correct. I am asking the minister to meet these families. The letter then states:

Therefore this site was identified in noise attenuation and an improvement proposal has been prepared. Proposals for improvement projects must be considered and evaluated on a statewide basis. Any noise attenuation in this area will be considered in this context.

These families have heard this all before. The government says to people who live near Dandenong Road or the Monash Freeway, 'We are going to spend \$100 million on noise attenuation measures', but not one single cent of that so far has made its way to Malvern. It is about time this government stopped neglecting my constituents and started doing something to try to help their quality of life by spending some money on fixing road noise problems.

Knight Street–Centre Road, Clayton South: pedestrian crossing

Mr LIM (Clayton) — The matter I raise is for the attention of the Minister for Roads and Ports. The action I seek is to entreat the minister to instruct VicRoads to proceed with the installation of the pedestrian light crossing at the corner of Knight Street

and Centre Road in my electorate of Clayton as a matter of urgency.

By way of background I reluctantly must share a tragic story with members of the house. On 1 August last year a local grandmother, Anna Tsavasilis, was killed on that Clayton South shopping strip. She was hit by three cars on that notorious stretch of road. Her death has traumatised her family and friends considerably and angered the local residents. They have been asking for, demanding and pleading for the installation of pedestrian crossing lights at that particular spot.

The death of this well-loved and respected lady has spurred the local community, traders, church groups and many other people, including the local media, to pursue this matter with passion. I have received unprecedented representations through emails, phone calls and letters and through meeting these people. Therefore I would like to take this particular occasion to pay tribute to them all, particularly the local paper newspaper, which has taken up this cause and is pushing the issue.

Installing that pedestrian crossing would go a long way to enhancing the safety and confidence of residents in the area, but unfortunately VicRoads seems to be dragging its feet a bit. There has been consultation, including with the council, and there have been surveys. The residents were hoping that the lights would have been installed on the anniversary of the death of this lady, which was 1 August this year. Unfortunately this was not the case. They were all traumatised when reading in the local media that this would probably be happening in mid-2010. That is not acceptable to them. I ask the minister to urge, push and ask VicRoads to install the lights as a matter of urgency as soon as possible, not in mid-2010.

Ferntree Gully Secondary School site: future

Mr WAKELING (Ferntree Gully) — I wish to raise a matter for the Minister for Education. The action I seek is for the minister to immediately advise the Ferntree Gully community of the future use of the former Ferntree Gully Secondary School site located on Dorset Road in Ferntree Gully.

The former Ferntree Gully Secondary School closed in December 2006. Since that date the school site has remained vacant. The school suffered a similar fate to the former Ferntree Gully Primary School, which closed 12 months prior. For many years the government has been unwilling to explain the future of both sites. It was only recently that the government announced it would convert the former Ferntree Gully Primary

School site to an 87-unit social housing development. It is a proposal that has been developed without consultation with the local community.

To date no announcement has been made about the future use of the former secondary school site. In the meantime the government has spent over \$123 000 in maintaining an empty school site. Many residents have contacted me about the possible future use of the site as a stand-alone facility for children with additional needs. The need for this call is borne out by the findings of the Saratoga Professional Services report undertaken for the Department of Education which identified the need for additional education resources for children with additional needs in the Knox community.

During the adjournment debate on 24 June 2008 I raised the future use of the site with the education minister. In a response to my adjournment matter that I received on 28 August, the minister indicated:

When a site is declared surplus to education requirements, the department is required to follow policy issued by the Government Land Monitor.

The former Ferntree Gully Secondary College site is yet to be declared surplus as the department is currently investigating possible future education uses for the site. Upon completion, should the site be regarded as surplus, the disposal process will be activated, at which the site, in line with government policy, will be offered to other government agencies. Should there be no interest from other agencies, the department will then engage with the City of Knox.

A similar process is being undertaken with the former Ferntree Gully Primary School, where the department is currently negotiating a sale to another government agency.

Twelve months have elapsed since I received that letter, and the Ferntree Gully community is no closer to understanding the future of this site. Residents are fearful that a housing development may be constructed on the site without community consultation. Some residents believe it could possibly be used as a P-12 facility. Other residents believe it may potentially be sold off to a private developer.

In an effort to quell the concerns of the Ferntree Gully community, I call upon the Minister for Education to take immediate action and to explain the future use of the Ferntree Gully Secondary College site.

Consumer affairs: door-to-door marketing

Ms MUNT (Mordialloc) — The matter I raise tonight is for the attention of and action by the Minister for Consumer Affairs. I ask him to take action to investigate a number of instances that have been brought to my attention by my constituents regarding

companies that are currently operating door to door to sell home insulation in or near my electorate.

In the first case that came to my attention — in fact at my street stall in Mentone — last Saturday morning I was approached by a senior Victorian who is 88 years old and wheelchair-bound and who was doorknocked by the Rattray Group. She signed up for new insulation and as part of the package she agreed to have her current insulation removed. The Rattray Group, apparently acting on behalf of Australian GreenPower as a registered installer, removed her home insulation on 29 October this year at a cost to my constituent of \$435. Since that time no new insulation has been installed by this company, despite it promising to do so. After many hot days late in November, still nothing has been done. This disabled elderly woman and her husband, aged 89 years, have been very distressed in their very hot house since this time. They have attempted to contact the company but they say their phone calls have not been returned and its registered office is locked. This is simply not good enough. I ask the minister to intervene.

In the second incident that came to my attention I was contacted by one of my constituents on behalf of his elderly mother-in-law. He stated:

This particular organisation —

Green Home Green Planet —

approached my elderly mother-in-law (she is 85 years old) unsolicited, to try and convince her to sign a document allowing access to her home for a free energy assessment of her house ... If my wife had not been there (she was asked to come there by her mother) she would have been confused and acceded to his requests. This is just a different way to approach unsuspecting older people to put money in the pockets of 'salesmen'.

This is a bad approach to a very serious problem and I think you as my mother-in-law's local member need to voice my concerns to this organisation —

which I am doing.

Once again I find myself advocating on behalf of my constituents in regard to their distress at door-to-door sales tactics. These companies are after quick money, to the detriment of my constituents. I congratulate the Minister for Consumer Affairs on his further regulation of the times allowed for doorknocking and reducing them from 8.00 p.m. to 6.00 p.m. to allow my constituents to have their dinner in peace. However, more work needs to be done with regard to these companies operating door to door in my electorate. I ask the minister to investigate these two particular instances on my constituents' behalf and to take action.

Responses

Mr BATCHELOR (Minister for Community Development) — I thank the member for Yan Yean for raising the important role that volunteers have played in the bushfire recovery period and also in raising the need to take action to train and retain volunteers. It is also appropriate to take this opportunity to acknowledge and congratulate the member for Yan Yean on the continued commitment and support that she provides to many local volunteers, community groups and organisations in her electorate and the broader northern suburbs.

I have travelled throughout Victoria and have met a large array of volunteers and their organisations. I am continually told of the struggle they face to attract new volunteers and retain their existing volunteer base. With the ever-increasing demands on home life and the commitment by people, particularly parents, to ensure an effective work/life balance is maintained at home, people are now finding it even harder to find the time to undertake volunteer activities. Nevertheless, one in three Victorians is giving their time to help their local community, and Victoria's volunteers impact on every aspect of our society every day of the year.

Volunteering is estimated to be worth around \$10 billion, or almost 8 per cent of Victoria's gross state product. This is an enormous contribution that they make to our economy; when you think about it, it is really an incredible contribution. But of course it is about much more than the money value. It is about the invaluable benefit of making human connections. Rather than just delivering services, it is about people feeling safer and happier in the place where they live, because participating in your community makes you feel a part of something much bigger.

The Brumby Labor government will take action to support our volunteers. We have a proud history of supporting and recognising the invaluable contribution volunteers make right across our state and our community.

Last Saturday I had the pleasure of joining with the Premier to present the inaugural Premier's Community Volunteering Awards, which were appropriately presented on International Volunteers Day. These awards are part of our volunteering strategy. They celebrate and acknowledge the vital contributions that not-for-profit groups, organisations and individuals are making towards building an even stronger community to ensure that no-one is left behind.

From tutoring migrants to holding a charity ball and from building networks to get more young people involved in the community to saving endangered wildlife, the most extraordinary range of volunteering was recognised by the Premier last weekend.

Going forward, the Brumby Labor government has a plan to support volunteers and their organisations. The support will be provided through the Victorian volunteer small grants program. In the past this has been hugely successful, with more than \$5 million being given to more than 1400 community groups. We also have a \$9.3 million volunteering strategy, which will provide a strong foundation for Victoria's volunteers. Through this strategy we will support people looking for ways to become involved in their community through volunteering. Support will be provided to volunteer-based organisations and government agencies to both recognise and respond to the changing volunteering landscape. Support will also be provided to volunteer-based organisations to build more pathways for volunteers to obtain skills and employment through their volunteer participation. Another important aim of the strategy is to encourage more young people to become involved and connect with their local communities.

It is all part of the government's commitment to recognise, celebrate and support the amazing work of Victoria's volunteers. I thank the member for Yan Yean for bringing this important matter to the attention of the house tonight.

Ms PIKE (Minister for Education) — The member for Ferntree Gully raised with me the matter of the future of the Ferntree Gully Secondary College site. He correctly identified that it is important that the Department of Education and Early Childhood Development make a careful evaluation of the site to identify whether there are future educational purposes for which that site might be appropriate. The department is undertaking that work. It involves a careful analysis of the demographic trends of the community, because the department's work encompasses both early childhood development and primary and secondary education.

As the member knows, if it is determined over a period of time that a site is no longer required for educational purposes, then it is offered to other government departments. A range of government departments may wish to utilise that site. Following that analysis the local council is offered the site, which it may purchase at a price set by the valuer-general. If local government does not require the site, it becomes available for purchase on the open market. It is a very

comprehensive process. I know from time to time people think it is a lengthy process, but it really is important that there is an opportunity for sites like these to be scrutinised for a range of public purposes. We are currently going through that process, and we want to make sure that the community has the opportunity for input into the decision making.

The members for Benalla, Scoresby, Malvern and Clayton raised matters for the Minister for Roads and Ports; the members for Geelong and Narre Warren South for the Minister for Sport, Recreation and Youth Affairs; the member for Narracan for the Minister for Agriculture; and the member for Mordialloc for the Minister for Consumer Affairs. I will ensure that those matters are drawn to the attention of the relevant ministers.

The DEPUTY SPEAKER — Order! The house is now adjourned.

House adjourned 10.29 p.m.

